

ACTS
OF ^{504.13}
ASSEMBLY,

Made and Enacted in the
Bermuda *or* Summer-Islands,
Continued to 1736.



L O N D O N :

Printed by *John Baskett*, Printer to the King's most Excellent Majesty. MDCCXXXVII.

A C T S

OF

A S S E M B L Y

Made and Enacted in the

Bermuda or Summer-Islands

Continued to 1790

OF THE

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OF THE

OF THE

ACTS of Assembly, passed in the
Bermuda or Summer-Islands in America,
at several Sessions of Assembly, from
1717 to 1721, both inclusive, held by
Benjamin Bennett, Esq; Lieutenant Go-
vernor and Commander in Chief;

AND at several Sessions of Assembly,
from 1722 to 1727, both inclusive, held
by *John Hope*, Esq; Lieutenant Governor
and Commander in Chief;

AND also at several Sessions of another
Assembly, from 1728 to 1736, both in-
clusive, held by *John Pitt*, Esq; Lieute-
nant Governor and Commander in Chief.

ACTS of Assembly, passed in the
Berwick or Summer-Session in America,
at several Sessions of Assembly, from
1717 to 1721, both inclusive, held by
Benjamin Bennett, Esq; Lieutenant Go-
vernor and Commander in Chief;

And at several Sessions of Assembly,
from 1722 to 1727, both inclusive, held
by John Hope, Esq; Lieutenant Governor
and Commander in Chief;

And also at several Sessions of another
Assembly, from 1728 to 1730, both in-
clusive, held by John Pax, Esq; Lieut-
enant Governor and Commander in Chief.

Bermuda Acts of Assembly.

An Act for prolonging the Act intituled, An Act to supply ^{Expired.}
the Deficiency of the several Funds in these Islands, for
and towards the building a new House for the present
and future Governours.

An Additional Clause to an Act intituled, An Act for the
better Observation of the Lord's Day, commonly called
Sunday.



HEREAS it is expressed in the above-mentioned Act,
That if any Person or Persons, inhabiting or residing in
these Islands, shall (from and after the Publication hereof)
use or exercise on the said Day any Sports, Pastimes,
Sailing in Boats, Fishing, or other Employments as afore-
said, in any Part or Parts, Place, Tribe, or Parish of these
Islands, that he, she, or they so offending, shall forfeit and
pay for every such Offence to the Church-wardens or Overseers of the Tribe or
Parish wherein the same Offence shall be committed, for the Use of the Poor
of the same Tribe or Parish, the Sum of Five Shillings, Current Money,
to be recovered as in the said Act is mentioned; but no Provision seems
to be made in the said Act for Discouragement and Punishment of Negroes
and other Slaves, who are frequently guilty of the Breach of the said Act, by
carrying Bundles and Packs, &c. out of one Parish into another, and unneces-
sary sailing in Boats on the Sabbath-day; for Prevention thereof for the fu-
ture, We, your Majesty's most dutiful and loyal Subjects, the Assembly of
these your Majesty's *Bermuda or Summer Islands in America*, do most hum-
bly beseech your Majesty, that it may be enacted by your Majesty's Lieut.
Governor, Council and Assembly, and hereby it is enacted and ordained by
the Authority of the same, That when, and as often as any White or Free
Person in these Islands shall be guilty of unnecessary Sailing in any Vessel, or
Breach of the said Act, and shall be convicted thereof, such Person or Persons

^{Recital of a}
former Act.

^{White Person,}
or
^{&c. offending}
against the for-
mer or this Act,
forfeits 20 s.

so offending, shall forfeit and pay (instead of Five Shillings therein mentioned) the Sum of Twenty Shillings, to be recovered, and to be to the Use as in the said Act is mentioned and expressed.

Negroes Punishment.

Exception.

AND for every Negro or other Slave offending as aforesaid, that shall be convicted, by Confession of the Party, or the Testimony of one White Person, shall be publickly whipt at the Discretion of the Justice of the Tribe or Parish where such Negro or Slave shall dwell or reside, except it be made appear, that the Owner or Possessor of such Negro or Slave so offending shall send or employ such Slave or Slaves, and then the said Owner or Possessor being convicted thereof, shall forfeit and pay for every such Offence the Sum of Twenty Shillings, to be to the Use and to be recovered as aforesaid, except the Master or Owner of such Slave or Slaves can shew just Cause for so employing as aforesaid.

Justice offending shall forfeit 3^l.

AND be it further enacted, by the Authority aforesaid, That in case any Justice of the Peace in these Islands shall at any time hereafter conceal, connive at, or neglect to punish the Offences committed against this Act, according to the Tenour thereof, that then he or they, being thereof convicted by one or more credible Witnesses or Witnesses, on Oath or Confession of the Party, shall for every such Neglect forfeit and pay the Sum of Three Pounds, Current Money, to be to the aforesaid Use, and to be recovered as in the beforementioned Act is mentioned and expressed.

Passed his Excellency the Governor and Council the Eighth Day of May, 1717.
RICHARD TUCKER,
Clerk of the Council.

Voted and passed the Assembly the Eighth Day of May, 1717. and ordered to be laid before his Excellency the Governor and Council for their Concurrence.
THO. BOSTOCK,
Clerk to the Assembly.



An Act for Alteration and Amendment of several Acts of Assembly.

Preamble.

WHEREAS in the Act intituled, *An Act to regulate the Militia*, it is provided, That no Person whatsoever, from Fifteen to Sixty Years of Age, being a Subject in these Islands, but that he shall appear at every Muster and Exercise, being thereunto required by the respective Commander of the respective Division, and at an Alarm, all who by the respective Captains shall be adjudged fit, shall appear with Musket or Fuzee well fixed, and with a Cartouch-box, with Twenty-five Cartridges of Powder, with suitable Bullets, under the Penalty of Five Shillings for Absence from a Muster, and Forty Shillings for not appearing at an Alarm; but no Provision therein is made how such Persons shall be punished who shall refuse or neglect to do his or their Duties on the Watch, when thereunto required by Order of the respective Commander of the Company or Division where they belong; we therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands in America*, do most humbly beseech your Majesty that it may be enacted, by your Majesty's Lieutenant Governor, Council and Assembly, and hereby it is enacted and ordained by the Authority of the same,

same, That from and after the Publication hereof, when, and as often as any Person or Persons shall be ordered by their respective Commander to watch or provide a sufficient Watchman, compleatly fitted to appear and do his or their Duties on the Watch, without sufficient Cause shewn to the contrary, he or they, so refusing or neglecting, shall forfeit and pay for every such Offence the Sum of Five Shillings, to be levied by Warrant under the Hand and Seal of the respective Commander, directed to the Serjeant or Corporal of the said Division, and that the same Penalty to be employed as in the before recited Act is mentioned and expressed.

Persons being summoned, not appearing fitly armed, shall forfeit 5 s.

AND in the Act, *For regulating Negroes and other Slaves; &c.* it is enacted; That the Constable or Constables of each respective Tribe or Parish do cause a sufficient Watch to walk throughout each Tribe or Parish in the Night, at least twice in every Week, and inspect all Negroes Cabbins, and other suspicious Places, examining at that Time what Slaves are abroad, under the Penalty of Two Shillings and Eight Pence for every Neglect, to be recovered as in the said Act is mentioned and expressed; but no Provision therein is made for punishing Persons as shall refuse or neglect to do their Duty on the Watch, when thereunto required: Be it therefore enacted by the Authority aforesaid, That when and as often as any Person or Persons in any Tribe or Parish throughout these Islands (the Troopers of Horse Granadiers not excepted) shall be required by the Constable of their respective Tribe or Parish, to find and provide a sufficient Watchman, and shall refuse or neglect to comply with the same, he, she, or they, so refusing or neglecting, shall forfeit and pay for every such Offence the Sum of Two Shillings and Eight-pence, to be levied by the Justice's Warrant of the Tribe or Parish where such Offender shall dwell or reside; which said Penalty shall go and be to the Use of the Poor of the Tribe or Parish where such Offence shall be committed.

and not providing a sufficient Watchman, shall forfeit 2 s. 6 d.

Passed his Excellency the Governor and Council the Ninth Day of May, 1717.
 RICHARD TUCKER,
Clerk of the Council.

Voted and passed the Assembly the Ninth Day of May, 1717, and ordered to be laid before his Excellency the Governor and Council for their Concurrence.

THO. BOSTOCK,
Clerk to the Assembly.

An Act for limitting the Time the Names of such Persons as are bound off these Islands shall be published.

WHEREAS there is no Provision made in any Act, or otherwise, for publishing the Names of such Persons as are bound off from these Islands, whereby honest Creditors are many times wronged of their just Debts and Dues, for Prevention thereof for the future, we, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's Bermuda or Summer Islands in America, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor,

for Preamble.

Persons not to
depart this
Island without
giving 5 Days
Notice, &c.

vernor, Council and Assembly, and hereby it is enacted and ordained by the Authority of the same, that from and after Publication hereof, That no Person or Persons, Inhabitants or others, who are intended or bound off these Islands, shall have or be allowed any Ticket, except his or their Name or Names have been first set up in the Secretary's Office in the Town of St. George's, and published full Five Days in any Parish Church in the County where Divine Service shall be, or giving sufficient Security in the Secretary's Office aforesaid, to the Intent such their going off may be known, and the Secretary, or his Deputy for the Time being, shall be allowed and paid for entring such Security two Shillings and no more.

Sailors excepted.

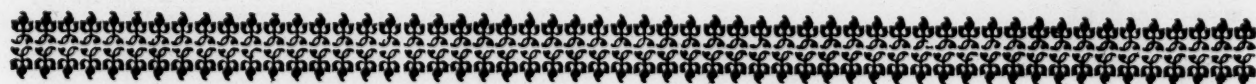
AND be it further enacted by the Authority aforesaid, That for Encouragement of Navigation for the future, that no Sailor shall (from and after the first of his or their going out of these Islands) be obliged to pay for new Tickets, so long as he or they continue and keep to the same Vessel, any former Custom to the contrary notwithstanding.

Penalty on Secretary delivering a Ticket before Security given.

AND be it enacted by the aforesaid Authority, That if the Secretary, or his Deputy for the Time being, shall at any time hereafter deliver or cause to be delivered to any Person or Persons, bound or intended off these Islands, any Ticket before he or they be published, or give Security, in Manner before in this Act mentioned, the Secretary, or his Deputy aforesaid, shall, for every such Offence, pay and satisfy to the Party or Parties grieved all his or their just Charges and Damages which he or they shall sustain by reason of his or their going off these Islands without being published, or giving Security as aforesaid, which shall be recovered as in Actions of Debt in any Court of Record in these Islands.

Passed his Excellency the Governor and Council the Ninth Day of May, 1717.
RICHARD TUCKER,
Clerk of the Council.

Voted and passed the Assembly the Ninth Day of May, 1717. and ordered to be laid before his Excellency the Governour and Council for their Concurrence.
THO. BOSTOCK,
Clerk to the Assembly.



Expired.

An Additional Clause to the Act intituled, An Act to supply the Deficiency of the several Funds in these Islands, for and towards the building a new House for the present and succeeding Governors.

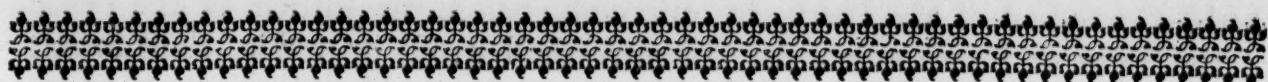


Repealed.

An Act for the greater Encouragement of planting Indian Corn in these Islands.

An

An Act to supply the Deficiency of several Funds in these Islands for finishing and compleating a House for the present and succeeding Governors, and repairing the Castle and other Fortifications, and for defraying the other Publick Charge of these Islands. Repealed,



An Act to prevent the Destruction of Palmetto-Trees, and to prevent Fraud in the Measure of Platt in these Islands.

WHEREAS great Destruction hath been made in the *Palmetto-Trees* in these Islands, by cutting the Tops before they be fully grown out, and also great Fraud and Deceit in the Measure of *Platt*; to prevent which Evils for the Future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda* or *Summer Islands* in *America*, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council and Assembly, and hereby it is enacted and ordained by the Authority of the same, That from and after Publication hereof, if any *Palmetto-Tops* be found in the Possession of any Person or Persons that are not cut clear the Strings, and fairly grown out, or if any stript green Strings be found or discovered in the Possession of any Person or Persons in these Islands, that then, and in every such Case, it shall and may be lawful for the Person or Persons who shall make such Discovery to seize and take such Tops or Strings into his own Possession, and immediately to make Complaint thereof to the Justice of the Peace of the Tribe or Parish where such Offender shall dwell or reside; and if the Justice to whom such Complaint shall be made shall find the Person or Persons complained of guilty of the aforesaid Offence, by the Testimony of the Informer, or any White Person, on Oath, Confession of the Party, or otherwise, that then every such Person being so convicted, shall forfeit the Tops for the Use of the Tribe or Parish where found, and the Strings to be burnt, and for every such Offence to forfeit and pay the Sum of Twenty Shillings, Current Money, one Half of the said Fine or Forfeiture to be to the Use of the Informer, and the other Moiety or half Part for the Use of the Tribe or Parish where the Offender shall dwell or reside; and upon Refusal to pay the same, it shall and may be lawful for the said Justice to grant his Warrant to the Constable or Constables of the same Tribe or Parish to distrain for the same, and in case no Distress be found, then the Offender shall be, by the same Justice's Warrant, committed to the Prison in these Islands, there to remain without Bail or Mainprize until the said Forfeiture, with all incident Charges, be paid.

Penalty on Persons cutting the Tops of Palmetto-Trees before they are fully grown, &c.

AND in case the aforesaid Offender be a Negro or Slave, to be whipt thro' the Tribe or Parish where such Offender shall dwell by the Constable of the same Tribe or Parish, as the Act, intituled, *An Act for preventing the stealing Oranges and other Fruits of the Growth of these Islands*, directs. Negroes Punishment for the aforesaid Offence.

AND be it further enacted, That it shall and may be lawful for any White Person to examine any suspected white Person, Negro, or other Slave, that shall have any *Palmetto-Tops*, and if they refuse to give a satisfactory Account how they came by them, it shall be lawful to stop the said Person or Persons with the said Tops till they give a satisfactory Account to the Justice of the Tribe where such Person or Persons shall be found; and in case such Person shall

Suspected Persons may be secured till they give Account how they came by the Palmetto-Tops, &c.

shall refuse to give Account to the Justice aforesaid, then such Person or Persons shall be proceeded against according to the Act, intituled, *An Act for preventing the Destruction and Transplantation of Palmetto-Tops and Brooms*, directs.

Penalty on Persons offering Platt to sale that is wanting in Measure.

AND be it further enacted by the aforesaid Authority, That if any Person or Persons in these Islands shall offer any Platt to sale that shall want more than one Yard in Forty Yards, and so in Proportion for a greater or lesser Quantity of the Measure, that then every such Person so offending, and being thereof lawfully convicted by the Testimony of the Informer, or one white Person on Oath, Confession of the Party, or otherwise, before the Justice of the Peace of the Tribe or Parish where the Offender shall dwell or reside, shall forfeit the Platt so wanting Measure as aforesaid; to be for the Use of the Party making such Discovery, and also shall forfeit and pay the Sum of Twenty Shillings, Current Money, and the Charge accruing; the said Forfeiture to be for the Use of the Tribe or Parish where the Offender shall dwell or reside; and upon Refusal to pay the same, it shall and may be lawful for the said Justice to grant his Warrant to the Constable of the same Tribe or Parish to distrain for the same, and in case no Distress be found, then the Offender shall be committed to Prison in these Islands, there to remain without Bail or Mainprize until the said Forfeiture, with all incident Charges, be paid.



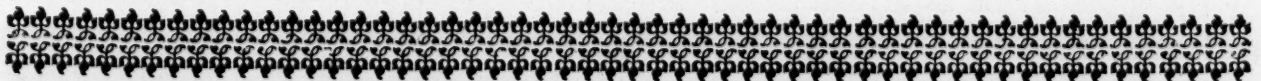
Expired.

An Act for the Renewing the Act intituled, An Act for the greater Encouragement of planting Indian Corn in these Islands.



Not in force until the King's Pleasure is known.

An Act for lessening the Number of the Assembly, and registering the Acts.

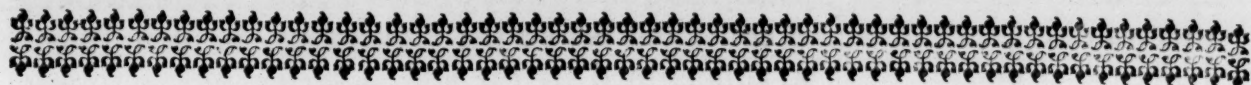


Expired.

An Act for making an Addition to the Salary of his Excellency John Hope, Esq; Governour of these Islands.

An

An Act to prevent any Person or Persons in these Islands ^{Expired.}
from making, having, or keeping any Net or Nets ex-
ceeding the Length of Three Fathoms and Half in his or
their Houses or other Places whatsoever.



An Act to supply the Deficiency of the several Funds in ^{Repealed.}
these Islands, and for the immediate Support of the
Government, and for the repairing the Fortifications.



An Act for the better Security of all such as are lawfully
possessed of any Negroes, or other Slaves in these Islands,
whereby to secure their lawful Rights, Interest, and Pro-
perty of and to the same.

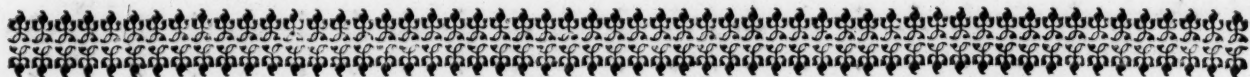
THAT whereas several Persons, Inhabitants and others, within few Years last past, have forced and carried away, and also stoct and enticed several Negroes, and other Slaves, from their Owners and Possessors, without any legal Warrant for the same: For Prevention of such evil Practices for the future, We your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda* or *Summer-Islands* in *America*, do most humbly beseech your Majesty, that it may be enacted by your Majesty's Lieutenant Governour, Council and Assembly, and hereby it is enacted and ordained by the Authority of the same, That from and after Publication hereof, if any Person or Persons whatsoever within these Islands, shall tempt, intice, perfwade, flock, clandestinely entertain any Negro, or other Slave, to leave or absent themselves from the Service of their Master, Mistress, or those by whom they are employed, out of an Intent or Design to secret or conceal them or any of them from their respective right Owner or Owners, or lawful Employers, or employ them in their own Service, or clandestinely carry or convey them out of these Islands, or in any Manner to defraud the said Owner or Owners, or Employers of them or any of them, being thereof duly convicted, by their own Confession, or by the Oath of one or more credible Witnesses, made before the Governour or Chief Justice of these Islands for the Time being, or any Two Judges of the Court of King's-Bench, Common-Pleas, &c. shall be adjudged to pay for every such Offence to the Party grieved, who was possessed of every such Negro, or other Slave, the Sum of Twenty Pounds Current Money, to be levied upon the Goods and Chattels, Lands and Tenements of every such Offender; and in case the Party so offending shall not be found worth Lands, Goods, or Chattels to the Value aforesaid, then the Judge

<sup>Persons entic-
ing away, or
entertaining
another's Slave,
shall forfeit
20 l. to be le-
vied by Dis-
tress, &c.</sup>
 or

or Judges aforesaid, shall and may, by Virtue of this Act, adjudge him or them so offending to be Servant or Servants unto the Person or Persons grieved for the Space of Five Years, or so long as until he, she, or they shall make Satisfaction to the Party so wronged or grieved, and thereupon deliver him, her, or them over by Warrant to the said Party so injured, and make a Record of the same.

An Inhabitant of this Island conveying another's Slave away shall forfeit double the Value of such Slave, &c.

AND be it further enacted by the Authority aforesaid, That if any Person or Persons, Inhabitants or others, shall so tempt, flock, or clandestinely practise upon any Negro or Slave, and him, her, or them, so tempted, convey away or send out of these Islands, and such Person or Persons, so offending, be afterwards apprehended and convicted before the Governour, or such Judge or Judges as aforesaid, shall be condemned by the said Judge or Judges to pay the Owner of such Negro, or other Slave, Two Times the Value of him so sent away as aforesaid, and Execution for the same (from the said Judge or Judges) to issue accordingly; and if the Person so offending has not sufficient Estate, as aforesaid, then he, she, or they, shall be ordered by the said Judge or Judges to serve the Party grieved or injured as aforementioned; any Law, Custom or Usage to the contrary in any wise notwithstanding.



Expired.

An Act for prolonging and making some Alterations in the Act intituled, An Act for the attaching the Goods or Effects of any Persons, Inhabitants, or others, not residing in these Islands.



A Second Additional Clause to an Act intituled, An Act for Vessels paying Powder Money.

WHEREAS it is in the aforesaid Act expressed, That all Strangers coming into these Islands to trade, shall pay for the Vessels and Ships, for every Tun Twelve Pence, or a Pound of Gun-Powder at the Master's Choice, &c. and in one Additional Clause to the aforesaid Act, (published the Ninth Day of February, 1703-4.) it is therein inserted, That all such Ships or Vessels (if they are obliged to enter) shall pay Four Pence *per* Tun more than the said Act expresses, or Powder as aforesaid, according to the Tunnage of the said Vessel, as in the said Clause (reference being thereunto had) may more at large appear: We therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's Bermuda or Summer-Islands in America, do most humbly beseech your Majesty, that it may be enacted by your Majesty's Lieutenant Governour, Council and Assembly, and hereby it is enacted and ordained by the Authority of the same, That all Ships or Vessels coming hither and not belonging to the Inhabitants of these Islands, (if they are obliged to enter) shall pay Eight Pence *per* Tun more than the said Act and Clause expresses,

An Additional Impost of 8 d. *per* Tun to be paid by all Vessels trading to these Islands.

presses, to compleat the Sum of Two Shillings, or Powder as aforesaid, as in the said Clause is expressed, which shall be to the Use therein mentioned.

AND be it further enacted by the Authority aforesaid, That the Person appointed to receive the said Money, or Powder, shall have full Power to measure or tunage every such Vessel if he see Occasion; and the said Receiver to account in the Specie as he receives it.

Officer impow-
ered to mea-
sure or tunage
Vessel.

An Act against Bastardy.

WHEREAS there has been heretofore great Defect in the Laws of these Islands to restrain the prevailing and heinous Sin of Bastardy, too much practised in the same; for Prevention whereof for the Future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands in America*, do most humbly beseech your Majesty, That it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That if any Bastardy shall at any Time or Times, after the Publication hereof, be committed in these Islands, that then, and in such Case, the Mother of such Bastard Child, or Children, shall declare and discover upon Oath who is the Father of every such Child or Children before Two of his Majesty's Justices of the Peace, one whereof shall be of the Quorum, and both residing within or next to the Tribe or Parish where such Child or Children shall be born, and likely to be chargeable to the same; and in case the Mother of such Child or Children shall, and doth refuse to declare and discover the Putative Father as aforesaid, that then, and in such Case, the said Justices of the Peace shall and may order the Mother of such Child or Children to give good and sufficient Security to the Church-Wardens or Overseers of the Poor of the said Tribe or Parish, to provide for such Bastard Child or Children all such Necessaries as shall be sufficient, proper, and convenient for the Support and Maintenance of such Child or Children, so long as the same shall be chargeable to the said Tribe or Parish, or likely so to be; and likewise to indemnify, save and keep harmless the said Tribe or Parish of and from all Costs, Damages, Charges, and Troubles whatsoever, for or by reason of the Birth, Maintenance, or bringing up of the said Child or Children, and of and from all Suits, Charges, Troubles, and Demands whatsoever, touching or concerning the same; but if she refuses to comply with, or submit to such Order, in all, or any Part thereof; or if it shall happen, that the Mother of such Child or Children shall not be able, or in a Capacity to maintain such Child or Children, but that the same shall become chargeable to the said Tribe or Parish, or likely so to be, that then, and in such case, the said Justices of the Peace shall, and may have Power and Authority to commit her to the common Gaol of these Islands, or to inflict Corporal Punishment upon such Offender, by ordering her to be whipt at their Discretion.

Mother of a
Bastard Child
refusing to de-
clare who is
the Father of
it, shall give
Security to in-
demnify the
Parish from all
Costs, &c.

or be commit-
ted to Gaol.

BUT if the Mother of such Bastard Child or Children shall declare and discover, as aforesaid, who is the Father of such Child or Children, that then, and in such case, the said Justices of the Peace shall, and may order the said Putative Father to pay or cause to be paid unto the Church-Wardens or Overseers of the Poor of the said Parish or Tribe any reasonable Sum of Money, in Gross or Weekly, for the Provision, Support, and Maintenance of the said Child or Children, so long as such Bastard or Bastards shall be chargeable to

The Putative
Father to pay
the Expences
of such Bastard,

or give good
Security to in-
demnify the
Parish, &c.

the said Parish or Tribe, or likely so to be; and the said Justices of the Peace shall and may likewise order the Putative Father of such Child or Children to give good and sufficient Security to the Church-Wardens or Overseers of the Poor of such Parish or Tribe, well and truly to perform the said Order, and to indemnify, acquit, discharge, save, and keep harmless the said Parish or Tribe, of and from all Costs, Damages, Charges, and Troubles whatsoever, for or by Reason of the Birth, Maintenance, or bringing up of such Child or Children, and of and from all Suits, Charges, Troubles, and Demands whatsoever, touching or concerning the same.

or on Refusal
be committed
to Gaol, &c.

BUT if the Putative Father shall or doth refuse or neglect to comply with and submit to such Order in all or any Part thereof; or if it shall happen, that such Putative Father is not able or in a Capacity to maintain such Child or Children, but that the same shall become chargeable to the said Parish or Tribe, or likely so to be; that then, and in such case, the said Justices of the Peace shall and may have Power and Authority to commit him to the common Gaol of these Islands, or to inflict corporal Punishment upon such Offender, by ordering him to be whipt at their Discretion.

The Punish-
ment of a
White Woman
having a Child
by a Negro.

AND it is hereby further enacted and ordained by the Authority aforesaid, That if any White Woman shall have a Child by any Negroe, or other Slave, that then, and in such case, the said Justices of the Peace shall, and may order and cause such White Woman to be publickly whipt at their Discretion; and shall and may order and cause such Negroe, or other Slave, to be publickly whipt, at their Discretion, under the Gallows by the common Hangman.

Where Justices
do not agree in
making an Or-
der, the Par-
ties to be
bound over to
the Quarter-
Sessions.

AND lastly, it is hereby further enacted and ordained by the Authority aforesaid, That if the said Justices of the Peace cannot agree in making of any Order in relation to Bastardy, that then they may, by Recognizance, bind over the Mother or Putative Father of such Child or Children to appear at the next General Quarter Sessions of the Peace; or if the Mother or Putative Father of such Child or Children shall think or conceive, That the said Justices Order is unreasonable, or injurious to them, or either of them; that then, and in such case, they, or either of them shall and may appeal to the next General Quarter Sessions of the Peace; and the Justices of such Court shall and may have full Power and Authority to hear, examine, and determine all Matters and Things concerning the same, according to the Laws of *Great Britain*, but not otherwise; any Thing in this or any other Act of Assembly heretofore made, passed, and published in these Islands, contained to the contrary thereof in any wise notwithstanding.



Expired.

*An Act for raising a Sum of Money for the speedy re-
pairing the Castle and other Fortifications in these Islands.*

An

An Act for repealing an Act intituled, An Act to prevent the Destruction and Transportation of Palmetto Tops and Brooms; as also for repealing an Act for Addition and Amendment to the aforesaid Act.

Not in force,
until the King's
Pleasure is
known.



An Act for raising a Quantity of Timber, Plank, and Lime, necessary for the Repairing the Castle, and other Fortifications of these Islands.

Expired.



An Act for raising a Sum of Money necessary for the Repairing the Castle, and other Fortifications of these Islands.

Expired.



An Act to prevent any Person or Persons whatsoever in these Islands from making, having, or keeping any Net or Nets, exceeding the Length of Three Fathom and a Half, in his or their Houses, or other Place whatsoever; and to prevent hawling Fish by any other Contrivance.

WHEREAS, notwithstanding great Care hath been from Time to Time taken to prevent the Destruction of Fish, by hawling with Nets exceeding the Length of Three Fathom and a Half, yet great Destruction is still made by some Persons, under Pretence they have Liberty given them; and to prevent the like Evil for the Future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda* or *Summer Islands* in *America*, do most humbly beseech your Majesty, That it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That from and after Publication hereof, if any Person or Persons in these Islands shall make, procure, use, or keep any Net or Nets in his or their Houses, or other Place whatsoever (Tuckle-Nets for that particular Use

Penalty on Persons keeping Nets of above Three Fathom and a Half in only length,

only excepted) exceeding the Length of Three Fathom and a Half, or presume to hawl any Fish of any Sort whatsoever (commonly caught with Hook and Line) with any Net or Nets joined or held together, or with any Wadd or Wadds, or any other Instrument, Contrivance, or Invention whatsoever, exceeding the Length of Three Fathom and a Half as aforesaid, he or they so offending, and being thereof lawfully convicted by the Oath of one or more credible Witness or Witnesses, or Confession of the Party before the Justice of the Peace of the Tribe or Parish, where the Offence is or shall be committed, or where the Offender or Offenders shall dwell or reside, or in his Sight or View, shall forfeit and pay for every such Offence the Sum of Twenty Five Pounds Current Money; one Half to be to the Use of our Sovereign Lord the King, his Heirs and Successors, to defray the Charges of these Islands; and the other Half to the Informer, or them that will sue for the same; to be recovered before the Justice or Justices aforesaid, and the Net or Nets, so kept or used, to be burnt by his Warrant.

and on Justice neglecting his Duty.

AND it is further enacted, If any Justice of the Peace, or other Magistrate in these Islands, shall at any Time (during the Continuance in force of this Act) conceal, connive at, or neglect to punish the Offences committed against this Act, according to the Tenor, Purport, true Intent and Meaning thereof; that then he or they so offending, and being convicted as aforesaid, shall for every such Offence forfeit and pay the like Sum of Twenty Five Pounds Current Money, to be to the Use aforesaid; and to be recovered as in Actions of Debt not exceeding Forty Shillings, before any Two Justices of the Peace in these Islands, who are hereby impowered to summon, hear, determine, and give their Warrant to levy the same; any Law, Usage, or Custom to the contrary notwithstanding.

Fines and Forfeitures to be levied by Distress,

and if no Distress can be made, the Party to be committed to Gaol till Payment is made.

AND that all Fines and Forfeitures before in this Act mentioned and expressed how it shall be recovered and disposed of upon Refusal of Payment (according to such Warrant or Warrants, by him or them so issued) it shall and may be lawful to and for such Justice or Justices granting or issuing the same, to issue out his or their Warrant of Execution to levy the same by Distress and Sale of the Offender's Goods and Chattels to be sold, and the Overplus, if any, returned, as is usual in all other Cases; and for want of such Distress being had or made, then the Officer serving, or having such Warrant of Execution or Warrant of Distress, to take into Custody the Body or Bodies of him or them so offending, and to deliver the same Body or Bodies to the Provost Marshal General, his Deputy, or Deputies, who are hereby required to keep such Person or Persons in the common Goal of these Islands, there to remain for Three Months after such Commitment, or until such Fine, with all incident Charges, be paid and satisfied, and then to be from thence discharged, paying the usual Fees to the Officer and Officers.

Punishment on Negro, &c. offending.

AND if in case any *Negro*, *Indian*, *Mulatto*, or other Slave, shall be found guilty of the Breach of such Act, such *Negro* or Slave so offending, shall be punished at the Discretion of such Justice, before whom he or they shall be convicted.

Proviso.

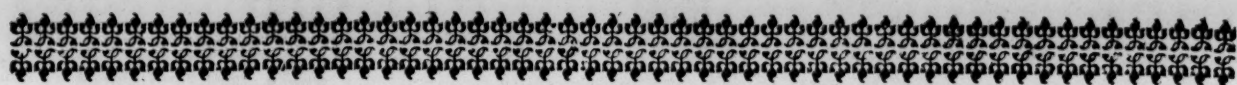
PROVIDED also, and it is hereby enacted, and to be taken as the true Intent and Meaning hereof (any Thing in this Act seemingly to the contrary notwithstanding) That no Person or Persons whatsoever, having at this Time any Net or Nets as aforesaid in his or their Possession, shall not be immediately liable to the aforesaid Penalty for having or keeping the same, until the full Term and Time of Two Months after the Publication hereof be expired, thereby allowing such Time as aforesaid to ship off the said Net or Nets, or otherwise dispose of the same.

Proviso.

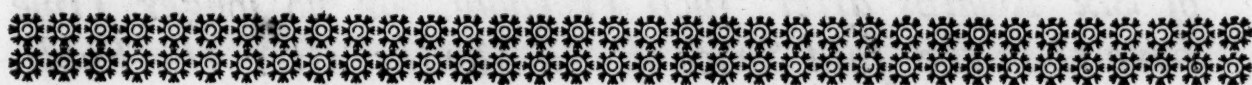
PROVIDED always, That the several Prosecutions and Penalties mentioned in this Act, be made and done within Three Months after the Offence or Offences committed.

AND

AND that this Act be and continue in full Force for and during the full Term and Time of Five Years from the Publication hereof, and from thence to the next Sessions of Assembly, and then to determine and expire.



An Act for repealing an Act intituled, An Act for establishing Fast Days to be celebrated in these Islands in an Anniversary Course. Not in force.



An Act laying an Imposition on Negroes and other Slaves imported into these Islands. Expired.



An Act to prevent any Person or Persons allowing and encouraging any Negroes or other Slaves from rioting and meeting at unreasonable Times in his or their Houses and Possessions. Expired.



A Further Additional Act for the more speedy Reparation of the Highways in and throughout these Islands. Expired.



An Act to supply the Deficiency of the several Funds in these Islands for finishing the Fortifications, and for defraying the other Charges of this Government. Expired.

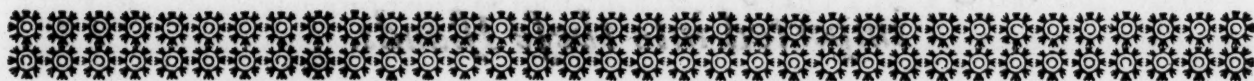
Expired.

An Act for making an Addition to the Salary of his Excellency John Pitt, Esq; Governor of these Islands.



Expiring.

An Act for extirpating all free Negroes, Indians, Mulattoes, such as have been Slaves (and freed or to be freed) so as they do not remain in these Islands above the Space of Six Months after such Freedom, or no longer Time here than the said Space of Six Months after the Publication hereof for those already freed.



Expired.

An Act to prevent any Person or Persons whatsoever in these Islands from having or keeping any Drudge or Drudges, or other Instrument, to drag up Oysters and Muscles, and to prevent hawling or dragging up the same.



Expired.

An Act for raising a Sum of Money for Payment of the Publick Debts of these Islands.



An Act for the further and better regulating Negroes and other Slaves, and for the more effectual and speedy Way of prosecuting them in criminal Causes.

WHEREAS, notwithstanding several good and wholesome Laws for regulating Negroes and other Slaves have been enacted, yet frequent Complaints are made by the Inhabitants of these Islands, of their Insolency and daily Theft, by breaking Houses, and thence stealing Money, Plate, and divers other Things, which we conceive is chiefly occasioned by the great Liberty

erty given to many of them by their Masters and Owners to buy for themselves, and wear fine Clothes, or other Ornaments, which cannot be procured by the said Slaves without stealing whereby to purchase the same; for Prevention of which Evil for the future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda* or *Summer Islands* in *America*, do most humbly beseech your Majesty, That it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That from and after Publication hereof, all Masters or other Owners or Possessors of any Slave or Slaves in these Islands shall find for them sufficient Food and Clothing; and that no Master or other Owner or Possessor of any Slave or Slaves in these Islands (his Excellency the Governor for the Time being only excepted) do or shall, upon any Pretence whatsoever, give Liberty, or suffer any of them to wear any Silk, Lace, Ribbons, Rings, Bracelets, Buckles, nor any Sticks, Whips, or Clubs (except them that are decrepid or lame, who are allowed a Stick, &c. for their support) nor other Ornaments.

Masters to clothe their Slaves, but not to suffer them to wear Silk, Lace, &c.

NEITHER shall allow any of them Liberty to raise any Sort of Stock or Poultry, or plant Provision or other Thing, or make any Sort of Cloth to his or their own Use and Uses, or upon parts; and if any Person shall presume so to do, the Owner or Possessor of any such Slave, suffered to offend as aforesaid, shall forfeit and pay for every such Offence the Sum of Five Shillings Current Money; one Half to the Church-Wardens for the Use of the Tribe or Parish, where the Offence shall be committed; and the other Half to the Informer, or him that will sue for the same; and the Negro, or other Slave, to be whipt at the Justice's Discretion.

nor suffer them to raise any Sort of Stock, &c.

AND whereas it is a common Practice amongst Negroes and other Slaves in these Islands to send or carry abroad to other Places beyond Sea Adventures of Brass, Pewter, Platt, Bongraces, Caps, &c. which cannot be procured by the said Slaves without stealing; to prevent which for the future, it is hereby further enacted, That if any Adventures, of any kind whatsoever, be made as aforesaid, and shipt and carried on board any Vessel by any Slave whatsoever belonging to these Islands, it is hereby declared lawful for any Master or Owner of any Vessel belonging or sailing from hence, and having such Adventures on board their Vessel, to take and seize the same for their own Use.

Adventures brought on board a Vessel by Negroes, may be seized.

AND it is further enacted by the Authority aforesaid, That the Constable or Constables of each respective Tribe or Parish do cause a sufficient Watch to walk throughout each Tribe or Parish in the Night, at least twice in every Week, and inspect all Negroes Cabbins, and other suspicious Places, examining at that Time what Slaves are abroad, under the Penalty of Two Shillings and Eight Pence for every Neglect; to be recovered, and to be to the Use aforesaid: Which Account of the Slaves being abroad, shall be given to the Owner or Owners of such Slave or Slaves the next Day; or as soon as conveniently may be, by the Constable or Master of the Watch, in Order to punish them so being absent, without Liberty given them by their Master or Owners, under the Penalty of Two Shillings and Eight Pence for every Default in either of them.

Penalty on Constable neglecting to search Negroes Cabbins twice a Week.

AND if any Slave be found absent upon such Inspection, without Leave as aforesaid, they shall for every such Offence be sufficiently whipt by the Master or Owner thereof, in View of the Master of the Watch or Constable; and in case such Owner or Possessor of such Slave or Slaves, as aforesaid, shall refuse forthwith to punish such offending Slave or Slaves, or cause the same to be punished in Manner aforesaid; that then such Master of the Watch, or Constable, shall make Complaint to the Justice of the Tribe or Parish of the same, who is hereby empowered and directed to order the said Punishment to be inflicted upon such offending Slave or Slaves by the Constable of the said Tribe or Parish, the Master, Owner, or Possessor of the said Slave

Negro absenting himself without Leave of his Master, to be whipt.

Slave or Slaves satisfying and paying the Constable as the Justices shall think reasonable.

Penalty on Justice neglecting his Duty.

AND if any Justice of the Peace in these Islands shall or do any ways neglect, refuse, or connive at the due Prosecution of this Act, according to the true Intent and Meaning of the same, shall forfeit and pay the Sum of Five Pounds Current Money for every such Offence, to be recovered and put to the Use aforesaid; and that all the Penalties in this Act shall be recovered as in Actions of Debt not exceeding Forty Shillings.

How Negroes shall be tried, who are guilty of Murder, &c.

AND whereas many heinous and grievous Crimes, as that secret and barbarous Way of murdering by Poison, and other Murders, Burglaries, robbing on the Highways, Thefts, Rapes, burning of Houses, &c. may be many times committed by Negroes and other Slaves, and many times attempted to be committed, in which, though by divers Accidents, have been prevented; and also do many times steal, wilfully kill, maim, and destroy Horses, Mares, Geldings, Cattle, Sheep, or other Thing of the like nature, &c. and of the Value of Twelve Pence Sterling or above; and many times by attempting to steal from the Inhabitants of these Islands Stock and other Goods beforementioned, of above or under the Value aforesaid, do put the Inhabitants, or some of their Families, in Terror, Dread, and Jeopardy of their Lives; which Offenders, for Danger, or Fear of Escape, are not long to be in Prison, and being brutish Slaves, deserve not (for the Baseness of their Condition) to be tried by the legal Trial of Twelve Men (which neither truly can be rightly done as the Subjects of *England* are) nor is Execution to be delayed towards them in case of such horrid Crimes committed; It is therefore enacted and ordained by the Authority aforesaid, That when, and as often as any such Crime as aforesaid shall be committed, or attempted to be committed, by any Negro, Slave, or Slaves, and the said Criminals apprehended, and brought before any of his Majesty's Justices of the Peace in these Islands, and the Justice, before whom such Criminals are brought, shall take Security for their forth coming, or send them to Prison, and with all convenient Speed shall join with him Two next Justices, whereof one shall be of the Quorum; and these Justices shall, by their Warrant or Precept, call to their Assistance Four able and good Freeholders, to be nominated and chosen at the Discretion of the said Justices; and these Seven Persons, to wit, the Three Justices and Four Freeholders as aforesaid, shall hear and examine all Evidences, Proofs, and Testimonies, or by plain Circumstances, such as the said Justices and Freeholders, or the major Part of them, shall or may think sufficient and reasonable Proof to convict such Negro or other Slave, in order to punish them either with Death, or otherwise, according to the Nature of their Crime, and as the said Justices and Freeholders shall think fit (the said Freeholders being first sworn before the Three Justices) who are hereby impowered to administer the same, and forthwith by their Warrant cause Execution to be done upon such Negro or Negro Slaves, by some Negro to be pressed for that Purpose by some Constable, to be appointed by Warrant from the said Justices.

Any Freeholder neglecting to appear upon a Summons, shall forfeit 5/.

AND it is further enacted, That if any of the Freeholders aforesaid shall make default to appear upon such Summons before the Justices as is before-mentioned, or appearing, shall refuse to join in sitting with them as is above appointed, and do shew no sufficient Cause for such Default, to be approved of by the said Justices; that then the aforesaid Justices shall, and are hereby obliged to impose a Fine of Five Pounds on such Refuser, which Fine or Forfeiture shall be immediately levied by the said Justices Warrant, directed to the next or nearest Constable, or what Constable they shall think fit, to levy the same as aforesaid (upon Refusal of Payment) on their Goods and Chattels; to be one Half towards defraying the publick Charges of these Islands, and the other Half to him or them that will sue for the same; to be recovered as aforesaid.

BE it further enacted by the Authority aforesaid, That if any Justice or Justices of the Peace whatsoever shall refuse, delay, or neglect meeting together in Form as aforesaid, or shall delay convening together Four Freeholders as aforesaid, such Justice or Justices so neglecting his or their Duty, shall forfeit and pay the Sum of Five Pounds Current Money; to be recovered, and to be to the Use aforesaid.

BE it further enacted, That when and as often as the said Justices and Freeholders shall hear, determine, and condemn any Negro (by them found guilty) to Death, that the said Justices and Freeholders shall and may put a Value upon such Negro or other Slave (not having any Respect to the Slave's Conviction) which Value by them so set shall be paid to the Master or Owner out of the publick Money of these Islands, where the same can be best spared, within Six Months after the Execution of such Negro or other Slave.

AND also for each and every Day the said Justices and Freeholders shall have Cognizance, hearing or determining of any Criminal Matters whatsoever, pursuant to the said Act, they shall be allowed out of the publick Treasury of these Islands the Sum of Forty Shillings for their Entertainment.

BE it also enacted, for the more Ease, and to prevent Charges of the Government in the present Exigency, That the Negroes now imprisoned and in Custody for poisoning, or Suspicion of poisoning, be with all convenient Speed tried by Virtue of this Act; and that the Persons hereafter named, or the Majority of them, be hereby obliged to try, hear, and determine the same, under the Penalties before in this Act mentioned.

Of the JUSTICES;

Edward Jones, Esq; of the Quorum.

Thomas Smith, and *John Harvey*, Esqrs; Justices.

Of the FREEHOLDERS;

Nathaniel Bascome, and *Ephraim Gilbert*, Esqrs;

Capt. Henry Corbuser, and *Capt. Jacob Johnson*.

AND that all Charges whatsoever, accruing by any Manner of Trials or Hearings pursuant to this Act, be taxed by the said Justices and Freeholders; and that the same be paid out of the publick Treasury of these Islands, or by the Owner or Possessor of such Slave or Slaves, as the said Justices and Freeholders in their Discretion shall think fit to order.

AND lastly, to the Intent this Act, and every Clause and Branch thereof may receive full Execution, and no Person plead Ignorance therein, it is enacted and ordained by the Authority aforesaid, That this Act be read and published in these Islands in the Parish Churches on the Lord's Day where the Sermon or other Divine Service shall happen, the first Sunday in October, and the first Sunday in April in every Year ensuing; and that this Act shall be, and remain in full force for and during the Term of Three Years, and from thence to the next Sessions of Assembly.

An Act for the Security of the Subject to prevent the Forfeiture of Life and Estate upon killing a Negro or other Slave.

WHEREAS *Negroes, Indians, Mulattoes*, and other Slaves, are very numerous within these Islands, and that the wilful killing of any such Slave as aforesaid (by the strict Laws of *England*) comes within the Penalty of Murder, the Judgment whereof is Forfeiture of Life and Estate; and whereas the Privileges of *England* are so universally extensive as not to admit of the least Thing called *Slavery*, occasioned the making such Laws for the Preservation of every individual Subject in his or their Lives, Estates, and indisputable Properties; but here, in his Majesty's Colonies and Plantations in *America*, the Cases and Things are wonderfully altered; for the very Kindred, nay, sometimes even the Parents of those unfortunate Creatures (upon the Coast of *Africa*) expose their Issue to perpetual Bondage and Slavery, by selling them unto your Majesty's Subjects trading there, and from thence are brought to these and other your Majesty's Settlements in *America*, and consequently purchased by the Inhabitants thereof, they being (for the Brutishness of their Nature) no otherwise valued or esteemed amongst us than as our Goods and Chattels, or other personal Estates; therefore our prudent Neighbours in *America*, as *Barbadoes*, &c. have thought fit (in Case of killing any such Negro or Slave) to make Laws to prevent the Penalty and Forfeitures aforesaid; We therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands* in *America*, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council and Assembly, and hereby it is enacted and ordained by the Authority of the same, That from and after Publication hereof, that if any Person or Persons whatsoever within these Islands, being

Owners of Slaves happening to kill them in correcting of them, shall not be imprisoned for it, &c.

Owner or Possessor of any *Negroes, Indians, Mulattoes*, or other Slaves, shall, in the deserved Correction or Punishment of his, her, or their Slave or Slaves, for Crimes or Offences by them committed, or supposed to be committed, accidentally happen to kill any such Slave or Slaves, that then the aforesaid Owner or Possessor shall not be liable to any Imprisonment, Arraignment, or Prosecution, nor subject to any Penalty or Forfeiture whatsoever.

AND it is hereby further enacted by the Authority aforesaid, That if any White Person or Persons, or other Subject or Subjects, Inhabitants of these Islands, or others, shall, at any Time or Times hereafter, find, perceive, or discover any *Negroes, Indians, Mulattoes*, or other Slave or Slaves, committing any Felony or Burglary whatsoever in the Night-time, and shall endeavour to resist, or make his or their Escape, that then, and in every such Case, if any such Slave or Slaves (in the Pursuit or Apprehension) happen to be slain, that then the Person or Persons so pursuing or assisting in apprehending the Felon, or Offender, or Offenders, shall be acquitted and exempted from the Prosecution and Penalties aforesaid.

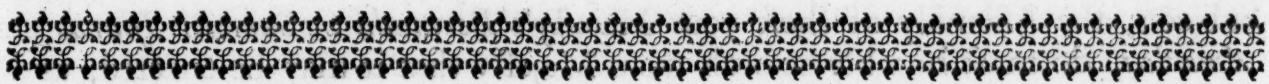
White Persons killing Slaves in pursuing them, are exempted from Prosecution.

PROVIDED always, and it is hereby enacted by the aforesaid Authority, That if any Person or Persons whatsoever as aforesaid, shall maliciously and wilfully kill or destroy, or any Manner of Ways cause or procure to be killed or destroyed any Slave or Slaves whatsoever, whereof he, she, or they, or any of them are Owners, that then, and in every such Case, the aforesaid Person and Persons, and each and every of them, shall forfeit and pay unto our Sovereign Lord the King, his Heirs and Successors, the full Sum of Ten Pounds Current Money, to be employed for and towards the Support of the Government of these Islands and the Contingent Charges thereof.

Proviso.

BUT

BUT if it shall happen, That any Slave or Slaves be wilfully killed as afore-
 said, by any Person or Persons whatsoever that is not Owner thereof, that Penalty on Per-
 sons killing
 Slaves that are
 not their own. then the afore-
 said Person and Persons, and each and every of them, shall for-
 feit and pay the full Sum of Ten Pounds Current Money, to be employed to
 the Uses above mentioned, and also pay the Owner or Owners of all and
 every such Slave and Slaves such Sum and Sums of Money as the afore-
 said Slave or Slaves so killed shall be valued at, as if then alive, according to the
 Judgment upon Oath of any Five able and sufficient Freeholders, or any
 Three of them, appointed by Warrant of the Justice of the Peace of the
 Tribe or Parish where such Offence shall be committed, together with the
 Charges thereby occasioned; all which the aforementioned Sum or Sums of
 Money shall be recovered by Way of Action in any Court of Record within
 these Islands, wherein no Essoign, Protection, or Wager of Law shall be
 allowed.



*An Act for the attaching the Goods or Effects of any Per-
 sons, Inhabitants, or others, not residing upon these Islands.* Expired.



*An Act to prevent Attornies defending Titles of Lands and
 Tenements without giving Security to make good Costs and
 Damages.* Expiring.



*An Act to supply the Deficiency of the several Funds in
 these Islands, and for defraying the Charges of the Go-
 vernment.* Repealed.



*An Act for the regulating and more Speedy Repairs of the
 Highways and Publick Paths in and throughout these
 Islands.* Expiring.

An

A second Additional Clause to an Act intituled, An Act for keeping a diligent Guard at the Castle and Paget's Fort.

WHEREAS in the said Act and Additional Clause it is therein expressed, That every Share of Land throughout these Islands shall be assessed the Sum of Eighteen Pence, or Fourscore Ears of *Indian Corn*, and so in Proportion, to be paid by the Owner or Possessor of such Lands, which hath caused several Disputes by such Persons as hold less than a Quarter of a Share, by their Denial of Payment, or of their not being able to pay in Proportion, for want of Change or small Money to do the same; for preventing such Disputes for the future, and to the End a true Understanding may be had on the said Act and Additional Clause, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands in America*, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council, and Assembly, and hereby it is enacted and ordained by the Authority of the same, That all and every Share, or reputed Share of Land in these Islands, shall pay and be assessed Yearly the Sum of Eighteen Pence; and all half Shares, Nine Pence each; and all and every Person and Persons whatsoever, holding or having any Land less than one Half, or reputed half Share, and above a Quarter of a Share, or six Acres, shall each pay Eight Pence; and all Persons having or holding six Acres, or less, shall pay each of them likewise Four Pence, which said several Sums of Money shall be paid into the Hands of the respective Constables, and by them into the Hands of the Justices of their respective Tribes or Parishes; and that the Sum of Three Pounds Fifteen Shillings be compleated and paid by every Parish throughout these Islands to the proper Officer for the Use of the Castle; and then the Overplus, if any be, shall be paid into the Hands of the Church-Wardens for the Time being, for the Use of the Parish.

All Shares of Land to be assessed at 1 s. 6d. per Share, &c.

All Glebe Lands to pay in Proportion, except the Minister's.

BE it also further enacted, That all the Glebe Lands in and throughout these Islands shall be liable to pay in Proportion as all other Lands beforementioned, (except only such Lands whereon the Minister for the Time being shall dwell and reside, occupy and manure) all which several Sums of Money, before in this Act mentioned, shall be recovered (in case of Refusal or Neglect) as in the first Additional Clause to the said original Act is mentioned.



Expired.

An Act to prevent the Spreading of the now Mortal Distemper the Small-Pox, which hath been found, for want of Remedy, to be infective to the Inhabitants of these Islands.

An

An Additional Clause to the Act intituled, An Act for the further and better regulating Negroes and Slaves, and for the more effectual and speedy Way of prosecuting them in Criminal Causes.

WHEREAS the Impudence of Negroes and Slaves of late has been such, as to stab, strike, and threaten several White Persons; for Prevention of which for the future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda* or *Summer Islands* in *America*, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council, and Assembly, and hereby it is enacted and ordained by the Authority of the same, That from and after Publication hereof, if any Negro, or other Slave, shall stab, strike, or threaten to stab or strike any White Person or Persons, that then every such Negro or Slave, stabbing, striking, or threatening or attempting to stab or strike, shall for every such Offence be examined, heard, tried, and adjudged by Force of the Act aforementioned; and that the Justices and Freeholders in the said Act expressed, shall, and have hereby full Power and Authority to punish such offending Slave or Slaves with Death, or otherwise, as they in their Discretion shall see fit.

Negroes threatening, &c. to kill any White Person, may be punished with Death.

AND, That the Justices and Freeholders for every Refusal or Neglect are subject to the Penalties and Forfeitures in the said Act mentioned and expressed; and that this Additional Clause be and continue in full Force for and during the Continuance of the said Act, and published with the same at the particular Times therein mentioned.

Justices, &c. offending, how to be punished.

An Act for ascertaining the Bounds of Lands within these Islands; as also for settling the Surveyor's Fees.

FORASMUCH as it is very expedient and necessary, that there be a general sworn Surveyor of Lands in these Islands, there being none at present, as also that there be some settled Fees or Reward allowed to such Surveyor, and his Assistants for the Time being, no Provision having hitherto been made for the same; whereby, and sometimes through the Negligence of former Surveyors in not performing their Duty therein, and also that the bounded or marked Line Trees, by them formerly bounded, are so far lost and forgotten, that no Remains or Memory are left of the same; and other Boundaries of Courses and Distances, not known for want of the Surveyor's putting his Survey upon Paper, and delivering the same to such Persons Owners of the Land by them surveyed, whereby great Controversies and Suits have been and are daily moved thereupon, and no certain Method as yet hath been prescribed; We therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda* or *Summer Islands* in *America*, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council, and Assembly,

F

and

In what Man-
ner Surveyors
are to take
their Survey.

and it is hereby enacted and ordained by Authority of the same, That from and after the Publication hereof, the Surveyor of Lands in these Islands (for the Time being) shall, and is hereby obliged, after any Survey by him made, plot or lay down his Survey upon Paper, setting down the several Courses and Distances, as also the Number of Marks by him made, expressing at large his Field Book, and deliver the same to each Owner of the Lands so by him surveyed, that the same may at any time hereafter, where Differences shall or may happen, be the better surveyed and corrected.

Governour to
appoint 5 able
Persons to as-
sist him in tak-
ing such Sur-
veys.

BE it further enacted by the Authority aforesaid, That the Surveyor shall take to his Assistance Five able and sufficient Persons, as shall be appointed in his Warrant of Survey, as his Excellency the Governour (for the Time being) shall seem meet to appear where the same is to be; who shall and may, by Virtue of such Warrant, and the Authority of this Act, from Time to Time, meet to survey the Lands in question, and summarily, and without the Formalities of Proceedings used in Courts of Law or Equity, by Testimony of Witnesses upon Oath, Examination of Parties interested, or by all or any of the said Ways, or otherwise at their Discretion from Time to Time, to hear and determine all Differences and Controversies which shall or may hereafter happen, touching or concerning the Bounds and Meets of Land only, and only such as shall be mentioned or specified in the said Warrant; which said Commissioners or Assistants shall take the following Oath:

Oath.

I. A. B. do swear, That I will justly and truly execute the Powers and Authorities in this Act contained; as also of the Governour's Warrant, according to the best of my Knowledge, without Favour or Affection to any of the Parties concerned.
So help me, God.

Commissioners
to give 5 Days
Notice to Per-
sons concerned,
before their
Meeting,

AND for that it may be necessary for the said Persons so appointed to meet at divers and sundry times before such Survey can or may be compleated, therefore such Commissioners, or any Three of them, and the Surveyor, shall give Notice to the Defendant, or such other Persons as are or may be concerned, full Five Days before such their Meeting, to be and appear on such Survey by them so to be made, which shall be performed by the Surveyor, and any Three of the Persons appointed, at the least, who are to be those who are no Ways interested in the Lands in dispute, unless by the mutual Consent of both the said Parties.

and if such Per-
sons neglect to
appear, they
may proceed
on their Sur-
vey, as if they
were present.

AND for the better establishing the Surveyor, and such Persons so to be appointed, or his Assistants to proceed with Effect in the said Causes, be it enacted by the Authority aforesaid, That upon due Notice given as aforesaid to the Parties concerned in any disputable Lands, of their Time of meeting, if they, or any of them (without sufficient Cause shewn) should refuse or neglect to appear, that then it shall and may be lawful for them to enter in and upon the Lands in dispute, to survey and lay out the same, as if such Owner or interested Person were present.

Penalty on Sur-
veyor, &c.
neglecting his
Duty,

AND be it further enacted by the Authority aforesaid, That if the Surveyor, (for the Time being) or such Person or Persons appointed his Assistants, shall any ways neglect or delay executing any Warrant of Survey, or shall wilfully refuse appearing on the said Lands, and to comply with this Act, that then such Persons so wilfully refusing or neglecting, shall forfeit and pay for every such Default the Sum of Forty Shillings to the King's Majesty, his Heirs and Successors, for and towards the contingent Charges of this Government; to be recovered in any Court of Record in these Islands, by Action of Debt, Bill, Plaint, or Information; wherein no Essoign, Protection, or Wager of Law shall be allowed.

and on Persons
refusing to at-
tend when sum-
moned.

AND if any Witnesses so summoned shall neglect to appear at the Time and Place notified, or shall, when appearing, refuse to give his or their Evidence,
it

it shall be lawful for the said Commissioners to issue Attachment against him or them, to cause to come, or commit such Witnesses for their Obstinacy, until they give their Evidence, as the Case may require.

AND for the better Discovery of the true Bounds of the Lands in dispute, the Surveyor and his Assistants, or any Three of them as aforesaid, being upon the Lands, may duly and deliberately consider of the same; and having duly and impartially considered, as well of the Proofs and Allegations of both Parties, as also all other Circumstances, nearest concurring with the true Intent, Design, and Meaning of the original and former Surveys, shall then and there determine and ascertain the Limits and Bounds of the said Land in dispute, as they, or the major Part of them present shall adjudge most reasonable, and cause the same Land, in their Presence, to be new marked out with such Marks and Bounds as to them shall be adjudged most plain and durable, and cause Three fair Certificates thereof to be made by the said Surveyor, Two thereof for the contending Parties, and the other to be delivered into the Secretary's Office of these Islands, to be entered in a Book for that Purpose by the Secretary or his Deputy, to be provided at the Publick Charge; which said Bounds so ascertained and entered, shall be, and remain the certain and undoubted Bounds of the said Lands for ever.

The Adjudication of the Surveyor and his Assistants, shall ascertain the Bounds and Limits of the Land, &c.

AND further, The said Surveyor and his Assistants, after such Survey by them so made, shall and may, by Virtue of this Act, put either the Complainant or Defendant (as the Case shall require into peaceable Possession of the Bounds so determined; and also shall and may assess and decree all Costs and Charges accruing as to the Surveyor's Fees, his Assistants, Witnesses, or other lawful Charges that shall or may happen on such Survey; and that they direct who shall, or how the same is to be paid and satisfied; which Service shall, by them the said Commissioners, be performed *gratis*.

and the Party in whose Favour the Bounds are adjudged, may take Possession of them, &c.

AND if any Person or Persons whatsoever shall refuse or delay paying such Surveyor's Fees to him or his Assistant, Witnesses, or other Charges, by the said Five Persons, or the Majority of them, be adjudged to be paid, that it shall and may be lawful for the said Five Commissioners, or Persons so appointed, or the Majority of them, to issue out their Warrant directed to the Constable or Constables of such Tribe or Parish where such Refuser or Delayer shall dwell or reside, to levy by Distress and Sale of their, or either of their Goods and Chattels, as in all other Cases of Law are usual.

How Surveyor's Fees are to be recovered.

AND if any Constable or Constables shall refuse or delay obeying such Warrant, that then such Constable shall forfeit and pay the Sum of Five Pounds Current Money; to be recovered and put to the Use aforesaid.

Penalty on Constable neglecting his Duty.

AND that on Prosecution of such Delayer or Refuser, the same Fees be by them paid as are usual in all other Executions and Services; and for want of such Distress to be found, that then such Person or Persons, Refusers, shall be committed to his Majesty's Gaol, there to remain till the same Charges be fully paid and satisfied, by the Commitment of the said Five Persons, or the Majority of them, directed to the Provost Marshal General, his Deputy or Deputies; by Virtue whereof they are hereby obliged to receive the same, as directed to him or them.

Where no Distress can be found, the Persons to be sent to Gaol.

AND to prevent the said Surveyor and his Assistants from being molested and disturbed in the Execution of their Warrant of Survey, be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall presume to disturb or obstruct the said Surveyor and Assistants, or any other Officer that shall or may be appointed to aid or assist in Performance of their Duty aforesaid, in any Case within the Direction of this Act, shall forfeit and pay to our Sovereign Lord the King, his Heirs and Successors, the Sum of Five Pounds Current Money; to be recovered and put to the Use aforesaid; wherein no Essoign, Protection, or Wager of Law shall be allowed.

Penalty on Persons obstructing the Surveyor in the Execution of his Duty.

AND

Persons prosecuted for acting in Pursuance of this Act, may plead the General Issue, &c.

AND be it further enacted by the Authority aforesaid, That if any Suit or Action be commenced or prosecuted against any Person or Persons for what he or they shall do in Pursuance and Execution of this Act, such Person or Persons so sued may plead the general Issue, and give the special Matter in Evidence; and if the Plaintiff shall discontinue his Suit, or Judgment pass against him, the Defendant or Defendants shall recover his or their double Costs for his or their unjust Vexation.

Continuance of this Act.

AND be it further enacted, That this Act be and continue in full Force for and during the Term of Five Years, from and after the Publication hereof, and from thence to the next Sessions of Assembly.



An Additional Clause to the Act about Swearing and Cursing.

Penalty on Persons that prophanely Curse and Swear.

WHEREAS in the said Act it is enacted, That if any Person or Persons shall at any Time or Times hereafter prophanely Swear or Curse in any Manner whatsoever, that then he, she, or they, so offending therein, either in the Hearing of any Justice of the Peace, by his own Confession, or by the Testimony of one or more credible Witness or Witnesses, on his or their Oaths, shall forfeit and pay Twelve Pence to the Use of the Poor of the Tribe or Parish where such Offence shall be committed; which Words (at any Time or Times) hath by many been misconstrued, and deemed by sundry Persons, That should they prophanely either Swear or Curse divers times immediately one after the other, they are liable to pay no more than One Shilling for the said sundry Oaths: The better to explain the same, and that no Misconstruction or Dispute may hereafter arise, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands* in *America*, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That from and after the Publication hereof, all and every Person or Persons that shall at any Time or Times prophanely Curse or Swear, or utter any prophane Speech, as in the said original Act is expressed, shall, for each and every such Oath, Curse, or prophane Speech, by any such Person uttered or expressed, forfeit and pay the Sum of One Shilling, as in the said Act is mentioned; and that they be liable to the Pains and Penalties in the said Act; any Thing herein contained to the contrary notwithstanding.

An

A further Additional Clause to the Act intituled, An Act for the further and better regulating Negroes and other Slaves; and for the more effectual and speedy Way of prosecuting them in Criminal Causes.

WHEREAS in the said Act it is enacted, That if any Negro or other Slave shall be found guilty of stealing the Value of Twelve Pence Sterling, or above; or that shall attempt to steal from any the Inhabitants of these Islands, Stock, or other Goods, of above or under the Value aforesaid, thereby putting such Inhabitants, or some of their Family, in Terror, Dread, or Jopardy of their Lives, that such their Crimes shall be esteemed Felony, and are to be tried as in the said Act is expressed:

AND whereas sundry Negroes have done, and still do cut, steal, and destroy the *Palmetto-Tops* and Trees in these Islands to a considerable Value, yet their Punishment, when convicted, amounts to no more than whipping; wherefore in Order to prevent (if possible) the total Destruction of the said Trees, and the Expiration of Tops; We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda* or *Summer Islands* in *America*, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That from and after Publication hereof, if any Negro, or other Slave whatsoever, shall be found guilty of cutting, or stealing any Top or Tops, or that shall have any Top or Tops, or *Palmetto-Strings* of any Sort, and cannot render a satisfactory Account to such Person or Persons discovering the same, that then such Negro, or other Slave, so stealing or having the same in their Possession unlawfully, shall be deemed Felons, and be tried, heard, adjudged, and sentenced as in all Cases of Felony by Virtue of the abovementioned Act in every Respect.

AND that this Additional Clause be and continue in full force for and during the Continuance of the said Act, and published with the same at the particular times therein mentioned.

Negroes convicted of stealing or cutting *Palmetto-Strings*, &c. shall suffer as Felons.

Clause of Continuation.



An Act to prevent any Person or Persons allowing and encouraging any Negroes, or other Slaves, from rioting and meeting at unseasonable Times in his or their Houses and Plantations.

WHEREAS, notwithstanding several good and wholesome Laws for the regulating Negroes and other Slaves have been enacted, yet frequent Complaints are made by the Inhabitants of these Islands of their daily Insolence, in meeting together in Companies, rioting and dancing on Nights, and absenting themselves from their Masters or Mistresses Service, which is too frequently encouraged by sundry White Persons, knowing and allowing of the same,

White Persons
suffering Ne-
groes to dance,
feast, &c. in
their Houses
after Sun-Set,
shall forfeit
40s.

same, and greatly prejudicial to the Inhabitants in general of these Islands, by their Loss of Provisions, in every Kind; stolen from them by such Negroes resorting together at unseasonable Times; for Prevention whereof for the future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands* in *America*, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That from and after Publication hereof, all and every White Person or Persons soever in these Islands, who shall permit or suffer any Meeting of any Negroes, or other Slaves, to dance, cabal, or feast in his or their House or Houses, or Possession whatsoever, after the Setting of the Sun on any Day, shall forfeit and pay the Sum of Forty Shillings Current Money of these Islands, to be recovered before the Justice of the Peace of the Tribe or Parish where the Offender shall dwell or reside; one Half of which Fine or Forfeiture shall go and be to the Use of the Tribe or Parish where such Offence shall be committed, and to be paid into the Hands of the Church-Wardens of the said Tribe for the Use aforesaid; and the other Half shall go and be to the Informer.

How Negroes
shall be punish-
ed who offend
against this
Act,

As also, such Negroes, or other Slaves, who shall meet as aforesaid, or in any other Manner whatsoever shall be found together, stealing, caballing, or dancing, shall be whipt at the Discretion of the Justice of the Peace of the Tribe or Parish where the Offender shall dwell or reside; the same Offenders against this Act to be convicted upon Knowledge of the Justices, Confession of the Party, or by Proof of one or more credible Witnesses on his or their Oath; and on Refusal of Payment of the said Fine of Forty Shillings, the Constable shall and may, by Warrant from the Justice of the Peace aforesaid, (under his Hand and Seal) levy the same by Distress and Sale of the Offender's Goods and Chattels, to be exposed by the said Constable to publick Sale within Ten Days after Seizure; and for want of such Distress, that he then take the Body or Bodies of any such Refuser or Delayer, and him or them deliver to the Provost Marshal of these Islands, his Deputy or Deputies, (who is hereby ordered to receive the same) and him or them safely keep in his Majesty's Prison in *St. George's* until the said Fine, with all incident Charges, be fully paid and satisfied.

and the Penal-
ty of 40 s. on
White Persons,
to be levied by
Distress, &c.

Justices im-
powered to
tender Oaths
to Owners of
Houses, in or-
der to discover
Offenders, &c.

AND be it enacted by the Authority aforesaid, That when and as often as there shall or may be any such unlawful Meetings as aforesaid, and Proof thereof cannot be found in order to convict such White Person in whose House or Possessions such Meetings are held, that then, and in such Case, the Justice of the Tribe or Parish where the same shall happen to be, shall summon before him such Person or Persons soever, in whose House the Offence shall be committed, and shall then tender an Oath to the Master or Mistress, or Owners of the said Houses or Possessions, or either of them, whether they or either of them did any ways connive at, or know of such meeting of Negroes or Slaves as aforesaid; which Oath, so by them or any of them taken, shall be sufficient to discharge and acquit any such Person or Persons from the Penalty aforesaid, and on their Refusal of taking such Oath when administered, that then they, and every of them so refusing, shall be liable to the Penalty in this Act mentioned in Manner aforesaid.

Penalty on Ju-
stice neglect-
ing his Duty.

BE it enacted by the Authority aforesaid, That if any Justice of the Peace of any Tribe or Parish throughout these Islands shall any ways connive at, or neglect the due Prosecution of this Act, according to the true Intent and Meaning of the same, shall forfeit and pay the Sum of Five Pounds Current Money, to be recovered before any Two Justices of the Peace in these Islands, and to be put to the Use aforesaid.

How long this
Act shall conti-
nue in Force.

AND that this Act be and continue in full Force for and during the Term of Seven Years, and from thence to the next Sessions of Assembly.

An

An Act laying an Impost upon any Person whatsoever that shall raise the Flats Bridge. Expired.

An Act to prevent Debtors evading the due Course of Justice in these Islands. Expired.

An Additional Clause to the Act intituled, An Act to prevent the Destruction of Palmetto-Trees, and to prevent Fraud in the Measure of Platt in these Islands.

WHEREAS in and by the said Act, all and every Owner of any *Palmetto-Trees* are prevented from cutting or manufacturing the Tops growing out of the same, by a Restriction in the said Act, under a Penalty therein mentioned; which as the Design of that Act was to preserve the Trees, yet it hath been found rather destructive of the same; but if each and every Owner have Liberty of cutting and manufacturing the same, as he shall see Cause and convenient, it would be a Means in some measure to prevent the future Destruction of the remaining *Palmettoes*; We therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda* or *Summer Islands* in *America*, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That from and after Publication hereof, all and every Person or Persons, Owners of any *Palmetto-Trees*, shall and may have Liberty to cut out the Tops thereof at his, her, or their Pleasure; and the same so cut, shall and may manufacture, sell, and dispose of, as to him, her, or them shall seem meet and convenient. Owners of Palmetto-Trees may cut them when they please.

AND be it further enacted by the Authority aforesaid, That if any Tops not fairly cut out, or stript green Strings, be found in the Possession of any Person or Persons, he, she, or they, with whom the same are found, shall (if required) declare on Oath, before the Justice of the Tribe or Parish where such Tops or Strings shall be found, whether the same were cut out of the Trees properly belonging to themselves, or if not, that they declare of whom they had or bought the same; which being declared and proved by them, that they or either of them bought the same of such Person or Persons, Owners of any *Palmetto-Trees*, shall be sufficient to discharge such Persons, having the same in Possession, from the Penalties in the said Act mentioned. Persons in whose Custody the Tops of such Trees are found, are obliged to prove of whom they bought them.

AND thereupon the Person or Persons of whom the same were declared to be bought, shall be obliged to deliver likewise on Oath, (if required) whether and the Seller to swear that he cut them off his own Trees,

ther he or they did cut, or cause the said Tops or Strings (so by any of them sold) out of their own proper Trees to them belonging.

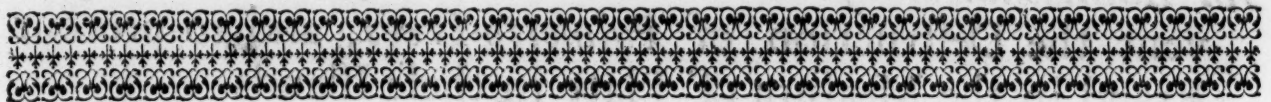
upon Forfeiture of 20 s. Additional Penalty to a former Act.

AND on Refusal of all and every the Person or Persons aforesaid, concerned, or to be concerned, of taking such Oaths before the Justice of the Peace, where the same Tops or Strings shall be found or cut, shall forfeit and pay over and above the Penalties in the said Act expressed, the further Sum of Twenty Shillings, to be recovered and put to the Use as all other the Penalties in the same expressed; and that this Additional Clause, and every Part thereof, be deemed as Part of the said Act, and be in full Force therewith.



Expired.

An Act for raising a Sum of Money for Payment of the Publick Debts of these Islands.



An Additional Clause to an Act intituled, An Act to prevent Damage by Cattle, Poultry, &c.

WHEREAS it is enacted in the abovementioned Act, That if any Horse, Cow, or other Cattle, for, or belonging to any Inhabitant in these Islands, shall at any Time or Times hereafter break loose, or be suffered to run at large in other Inhabitants Grounds or Lands, doing Damage thereby, it shall and may be lawful to and for the Party grieved, to take up and keep such Cattle in Pound, or else in his own Custody, until he shall receive such Satisfaction for the Damage as Two indifferent Persons, to be appointed by the Justice of that Tribe or Parish, shall judge fit and reasonable.

Any Person injured by another's Cattle, &c. breaking into his Grounds, to receive such Satisfaction as Two indifferent Persons shall award him.

AND whereas it often happens, That Horses, Cows, and other Cattle, breaking loose, or suffered to run at large, doing Damage thereby, cannot be taken up by the Party aggrieved, yet it being highly reasonable, that the Owner or Possessor of such Horses, Cows, or other Cattle, make good the Damage to the Party aggrieved; We therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands in America*, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That if any Horse, Mare, or Gelding, Cattle, or any Hogs, Sheep, Goats, or Poultry of any Sort, shall at any Time or Times after Publication hereof, break loose, or be suffered to run at large in any Person's Grounds or Lands in these Islands, doing Damage thereby, that then the Owner or Possessor of any such Horse, Mare, Gelding, Cattle, Hogs, Sheep, Goats, or Poultry as aforesaid, upon sufficient Proof made thereof by any White Person, before the Justice of the Peace of the Tribe or Parish, where such
Owner

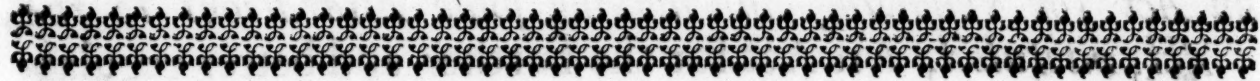
Owner or Possessor shall dwell or reside, shall make such Satisfaction to the Party or Parties aggrieved, for such Damage as Two indifferent Persons, to be appointed by the Justice aforesaid, shall on Oath (if required by either of the Parties) adjudge fit and reasonable; the same, together with the Charges occasioned, to be levied as in the above intituled Act is mentioned and expressed.

AND be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever, shall or may have Liberty to shoot, kill, or destroy any Horse, Mare, Gelding, Cattle, Hog, or other Creature whatsoever, doing Damage as aforesaid, (Poultry only excepted) which any Person may have Liberty to shoot or kill them on their own Lands or Possessions, after Notice or Warning once given to the Owners, of any Person's having Poultry that shall or may wander or go astray on any Person's Lands, doing any Damage whatsoever.

Persons restrained from killing Cattle, &c.

AND be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, appointed to view and adjudge the Damage sustained by the Party aggrieved as aforesaid, shall refuse or neglect to perform the same, and to make Oath thereto, (if required) shall forfeit and pay for every such Refusal or Neglect the Sum of Twenty Shillings Current Money, to be to the Use of the Tribe or Parish where such Refuser or Neglector shall dwell or reside; the same, together with all incident Charges, to be levied by Warrant from the Justice of the Peace of the said Tribe or Parish in case Payment thereof be refused or delayed.

Penalty on Persons refusing to view and adjudge the Damage, &c.



An Additional Clause to explain and amend an Act, intituled, An Act to prevent stealing Corn, Palmetto-Tops, Pumpions, or any Provisions.

WHEREAS in the abovementioned Act it is, amongst other Things, enacted, That if any Person or Persons shall or do unnecessarily wander over any Man's Grounds in these Islands, without Leave first had from the Tenant, or other lawful Possessor thereof, shall pay Ten Pounds of good Tobacco of the Growth of these Islands, to the Party aggrieved, for every such Offence, or otherwise shall be whipt at the Discretion of the Justice of the Tribe or Parish where the Offence shall be committed: And whereas it often happens, that Tobacco aforesaid cannot be had or procured to pay for such Trespas, which has occasioned sundry Disputes and Misconstructions on the aforesaid Act; for Prevention whereof for the future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's Bermuda or Summer Islands in America, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That if any White or Free Person or Persons whatsoever in these Islands, shall at any Time or Times hereafter unnecessarily enter upon and wander over any Person's Lands in these Islands, without Leave

Penalty on Persons wandering over another's Land without his Leave.

from the Owner, or other lawful Possessor thereof, shall for every such Offence, being thereof lawfully convicted before the Justice of the Peace of the Tribe or Parish where the Offender shall dwell or reside, in Lieu of Ten Pounds of Tobacco abovementioned, forfeit and pay for every such Offence to the Party aggrieved the Sum of Two Shillings and Six Pence Current Money; and upon Refusal or Neglect of paying the same, with the Charges occasioned, that then the said Justice's Warrant, directed to the Constable or Constables of the said Tribe or Parish, shall be sufficient for to distrain for the same; and in case no Distress be found, then the Offender or Offenders to be committed by the said Justice's Warrant to his Majesty's Prison in these Islands, there to remain until the said Sum of Two Shillings and Six Pence, and all Charges thereby occasioned, be fully paid and satisfied.

Negro committing such
Trespasses to be
whipt.

Exception.

AND be it further enacted by the Authority aforesaid, That if such Trespasses shall be committed by any Negro, or other Slave, that then such offending Negro, or Slave, shall be whipt at the Discretion of the Justice aforesaid, except such Trespasses shall be made by any Negro, or Slave, by Order of the Master or Possessor of the same; the which, if it can be made appear, such Master, or Possessor, shall pay the same Trespass, as if he or they committed the same themselves, and shall suffer such Penalties as is before mentioned in this Act.

An Act for renewing and making some Alterations to the Act, intituled, An Act for the further and better regulating Negroes and other Slaves, and for the more effectual and speedy Way of prosecuting them in Criminal Causes.

WHEREAS the abovementioned Act was enacted and made to be in force for the Term of Three Years, and from thence to the next Sessions of Assembly, and is now expiring; and it being found for the general Good of the Inhabitants of these Islands (with some Alterations) to prolong the same, together with one Additional Clause, expiring with the said Act, passed and published the Fourth Day of November, 1731. We therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's Bermuda or Summer Islands in America, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That the said original Act (except what is hereafter altered and amended, together with the Additional Clause abovementioned) be and are hereby renewed and prolonged for the further Term of Three Years from the Publication hereof, and from thence to the End of the next Sessions of Assembly; which Additions and Alterations are as followeth, viz. That if the Justices and Freeholders shall, for Time to come, try any Negro or Slave, the same shall be by them done *gratis* at their own Expence, only Justices Clerks, and Constables Fees, which are to be taxed and allowed by the Court that tries them, or the Majority thereof; and that any Two Justices of the Peace, with one of the Quorum, is hereby appointed and authorized thereunto.

Justices and
Freeholders to
try all Slaves
for the future,
gratis.

An

An Act laying a Duty upon the Whale Fishery of these Islands, for the Use of his Excellency the Governor, in Lieu of the Benefits formerly accruing to his said Excellency thereby. ^{Expired.}



Act Act to prevent vexatious Suits, and for limiting the Time of returning Executions issued on Judgments obtained at the Court of Common-Pleas, and other Courts of Judicature in these Islands.

WHEREAS divers Persons, of their Evil Minds, and without just Reason, have often procured others of his Majesty's good Subjects to be very much molested and troubled by Attachments, Arrests, Subpœnas, and other Process sued out of the Courts of these Islands, where any Liberty or Privilege is to hold Pleas of Debt, Trespas, and other Actions and Suits, by Bills, Complaints, or otherwise, as well in real as personal Actions; and upon the Parties (against whom such Suits have been entered) being brought to answer the Plaintiff or Complaints therein, have withdrawn their Actions, Bills, and Suits, after having given the Parties molested such unnecessary and unjust Fateague and Expence, and as yet nevertheless hitherto, by Order of Law, the Party so aggrieved and vexed, could never have any Costs awarded for such Vexation and Trouble; for Remedy whereof for the future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's Bermuda or Summer Islands in America, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That from and after the Publication hereof, that when, and as often as any Person or Persons whatsoever shall commence any Suit or Suits, by Bill, Complaint, or Action, real or personal, and thereby cause or procure other Person or Persons to be attached, arrested, vexed, or molested, without effectually prosecuting the same in the Court where such Suit or Suits are or shall be commenced, that then, and in every such Case, the Party or Parties grieved shall have their reasonable Costs and Expences, to be awarded and taxed by the Judge or Judges of the said Courts for the Time being against the Person or Persons so commencing such Actions, Complaints, or Suits as aforesaid; and on Refusal or Neglect of paying the same, the said Judge or Judges shall or may grant Executions to the proper Officer for levying the same, as in all other Cases wherein Executions are usually granted.

Clause in favour of Persons against whom vexatious Suits, &c. are brought.

AND be it further enacted by the Authority aforesaid, That all Executions to be issued on Judgments obtained at the several Courts of Record in these Islands, shall be made returnable within the Space of Four Months from the Date thereof.

A Return of Execution is to be made in 4 Months.

PROVIDED nevertheless, and it is hereby enacted, That if the Provost Marshal General of these Islands, his Deputy or Deputies, shall make due Personal

Proviso.

Personal

Personal Service and Execution of such Writ or Writs within the Time therein limited, he or they shall make Return thereof within Thirty Days after such Service shall be made, any Thing contained to the contrary hereof in any wise notwithstanding.

Continuance
of this Act.

AND that this Act shall continue in force for the Space of Three Years next ensuing, and from thence to the End of the next Sessions of Assembly, and then to determine and expire.



An Act for the renewing the Act, intituled, An Act to prevent any Person or Persons whatsoever in these Islands, from making, having, or keeping any Net or Nets exceeding the Length of Three Fathoms and a Half in his or their Houses, or other Places whatsoever; and to prevent hawling Fish by any other Contrivance.

WHEREAS the abovementioned Act was enacted and made to continue and be in force for the Term of Five Years, and then to determine and expire, which being now expired, and found for the general Good of the Inhabitants of these Islands to renew the same; We therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands in America*, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That the said Act shall be in full force and Virtue, and so continue and remain for and during the Term of Three Years from the Date hereof, and from thence to the End of the next Sessions of Assembly, and then to determine and expire.

The Act to
prevent Per-
sons keeping
Nets exceed-
ing the Dimen-
sions therein
prescribed, is
hereby revived.



Expired.

An Act for raising a Sum of Money for Payment of the Publick Debts of these Islands.

An

An Act for laying an Imposition on Horses, in order to prevent the Increase thereof; and for encouraging the Exportation of the same.

WHEREAS it is observed, that the Increase of the Number of Horses and Mares in these Islands proves very detrimental, by Means of the great Destruction they make in the Pasture Lands, and also by being let loose amongst Provision growing, being kept by several Persons who have no Lands, and whose Circumstances will not afford the keeping Horses without Prejudice to their Neighbours; for Prevention of which Inconveniences for the future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands in America*, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That from and after the First Day of *January* next ensuing, all and every Person and Persons in these Islands shall for every Horse or Gelding, by him or them possessed at the Time aforesaid, pay the Sum of Five Shillings, and for every Mare the Sum of Ten Shillings Current Money: And also from and after the First Day of *January* which will be in the Year of our Lord One Thousand Seven Hundred and Thirty Six-Seven, all and every Person and Persons in these Islands shall, for every Horse, Gelding, or Mare, by him or them possessed at the Time last mentioned, pay the several Sums aforesaid; which said Money shall be annually paid into the Hands of the Constables of each respective Tribe or Parish, who shall gather up the same within Fifteen Days after the Times aforesaid, which shall be by them paid into the Hands of the Collector or Receiver, herein after to be nominated and appointed, in the Space of Ten Days next after the same shall be gathered up.

Five Shillings for every Horse, and 10 s. for every Mare, to be paid Annually by the Persons keeping them,

AND it is enacted by the Authority aforesaid, That if any Person or Persons shall refuse or delay to pay for each and every Horse, Mare, or Gelding, by him or them kept, the Annual Sums of Money aforementioned, it shall and may be lawful for the Justice of the Peace of each respective Tribe or Parish, to issue out his Warrant directed to the Constable or Constables of such Tribe or Parish where the Refuser or Delayer shall dwell or reside, to levy the same by Distress and Sale of the Refuser's or Delayer's Goods and Chattels, as is usually done in Cases of Debt not exceeding Forty Shillings.

to be levied by Distress on Refuser's Goods.

AND be it further enacted by the Authority aforesaid, That for each and every Horse and Mare which shall be exported or shipped off from these Islands, after the Publication hereof, the Shipper shall be paid the Sum of Ten Shillings Current Money, by the Collector or Receiver hereafter named, out of such Money as shall be raised by Virtue of this Act, upon making Oath, That such Horse, Mare, or Gelding, was shipped off with Intent that the same shall not be returned to these Islands; which Bounty shall be first paid to the first Shipper, and so in Turn, as such Horses, Geldings, or Mares shall be shipped off.

A Bounty of 10 s. to be paid on Exportation of Horses, &c.

AND be it further enacted by the Authority aforesaid, That if any Officer in this Act mentioned, shall at any time refuse or neglect to do and perform as in the same is directed, he or they shall for every Refusal or Neglect forfeit and pay to the Use aforesaid the Sum of Five Pounds Current Money, to be recovered in any Court of Record in these Islands by Bill, Complaint, or Information, made by the Collector or Receiver aforesaid.

Penalty on Officers neglecting their Duty.

Application of
the Monies a-
rising by this
Act.

AND be it further enacted, That no Money arising by this Act shall be paid out (the Bounty Money aforementioned only excepted) but by the Direction of the Governor, Council, and Assembly.

Nathaniel Bas-
come appointed
Collector, &c.

AND be it also enacted by the Authority aforesaid, That upon Prayer and humble Request made to his Excellency the Governour and Council, that *Nathaniel Bascome*, of *Warwick* Tribe, Esq; be by his said Excellency and Council, appointed Collector or Receiver of the Money to be raised by Virtue of this Act, who is accordingly appointed and authorized thereto pursuant to the same, who shall give Bond, with good and sufficient Security, in the Sum of Three Hundred Pounds Current Money, to the Governor and Council, or any Five of them at least, for the due Performance hereof.

20 s. to be paid
him for every
Horse, &c. ex-
ported.

AND be it further enacted, That all Horses, Mares, or Geldings, that shall be imported and sold within Six Months after Exportation, the Importer or Importers, or his or their Agents or Factors, shall pay Twenty Shillings each to the Collector or Receiver aforesaid; and in case of Refusal to pay the same, it shall and may be lawful for the said Collector or Receiver to issue his Warrant, directed to the Constable of the Tribe or Parish where the Refuser or Delayer shall dwell or reside, to levy the same by Distress and Sale of the Offender's Goods and Chattels.

Proviso.

PROVIDED nevertheless, and be it enacted by the Authority aforesaid, That no Person or Persons whatsoever, who shall export any Horse, Mare, or Gelding, imported after the Publication hereof, and for which the last mentioned Duty shall not be paid, that then, in such Case, the Exporter or Exporters shall not be intitled to receive any Bounty for the same; and that the Collector or Receiver aforesaid shall be allowed and paid for.

Collector's
Fees.

AND as his Salary, for every Pound or Twenty Shillings which he shall receive and pay out, the Sum of One Shilling, without further Reward for all his Trouble relating to this Act.

Continuance of
this Act.

AND that this Act shall be and continue in full force for the Space of Two Years from the Publication hereof, and then to determine and expire.



Expired.

An Act to inforce the Inhabitants of all those Parishes who have not paid the Duty of Two Shillings per Head on Horses and Mares, due before the Repeal of the Act, intituled, An Act to supply the Deficiency of the several Funds in these Islands, for defraying the Charges of the Government to pay the same.

An

An Act for appointing a Guard to attend his Excellency the Governor of these Islands for the Time being at his going to Divine Service.

WHEREAS by antient Custom it hath been used, that when, and as often as his Excellency the Governor of these Islands for the Time being has thought fit to attend Divine Service, that a Guard of Six Men and a Serjeant of the Militia Company, belonging to St. George's, have been ordered to wait on the said Governor, armed, from his Dwelling House to the Church and back again, which Distinction and Respect, due to the present Governor, (as is complained of by the Captain of the said Militia Company) has been of late neglected and refused by the Centinels of the said Company, on their being ordered to guard as aforesaid, under the Pretence, that the said Captain or Commanding Officer hath no Power by any Act of these Islands to order the same; for Prevention of such Refusal and Neglect for the future, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands* in *America*, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That if any Person or Persons of the said Militia Company, shall at any Time or Times, from and after the Publication hereof, neglect or refuse (on being required) to guard his Excellency the Governor for the Time being at his going to Divine Service, he or they shall be subject and liable to the Fines and Punishment as in the Act, intituled, *An Act to regulate the Militia*, is mentioned and expressed for their Appearance at an Exercise.

Persons belonging to the Militia Company refusing to attend the Governor to Divine Service, how to be punished.

An Act for the Attaching the Goods or Effects of any Persons not residing upon these Islands.

WHEREAS fundry Persons, Inhabitants, and others, do frequently deal, merchandize, and correspond with one another, so that in the common Course of Trade and Business several Debts are contracted, and the Persons indebted, not being nor residing upon these Islands, the Creditors are rendered incapable of recovering their just Debts, by reason the Party indebted, being absent, cannot be arrested or summoned to an Action; therefore, for the more effectual securing the Rights and Interests of all and every Person or Persons so concerned, We, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands* in *America*, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governor, Council, and Assembly, and it is hereby enacted and ordained by Authority of the same, That from and after the Publication hereof, it shall and may be lawful for the Chief Justice of these Islands for the Time being, or others commissioned as his Assistants, upon Application made to him or them by the Person or Persons, **Creditors** Clause to enable Creditors to attach the Goods of their Debtors, tho' they live not on the Island,

Creditors or Complainants, for any Sum exceeding Forty Shillings Current Money, to grant a Writ of Attachment, directed to the Provost Marshal or Deputy, requiring and commanding him or them to make due Personal Service and Execution of the aforesaid Writ; and also within Thirty Days after the Date thereof, make a due Return of the same into the Secretary's Office of these Islands, upon such Person or Persons as in the said Writ are mentioned to have in their Possession or Custody any Money, Goods, or Effects whatsoever, belonging or appertaining to any Person or Persons that shall be nominated in the aforesaid Writ to be indebted to the Party or Parties, Creditors or Complainants.

Persons refusing to deliver up such Goods when attached, shall be committed to Prison.

AND be it further enacted by the Authority aforesaid, That if any Person, who shall be summoned or served with any such Writ of Attachment, shall refuse, neglect, or delay immediately to deliver up to the Provost Marshal, or Deputy as aforesaid, the Money, Goods, or Effects of the said Defendant or Defendants, or give good and sufficient Security for the surrendering and depositing the same, or so much thereof as shall be directed to the Party or Parties complaining, when thereunto required from any lawful Authority that shall or may have Cognizance or Jurisdiction of that Matter, or give good and sufficient Security to be and appear before the Chief Justice aforesaid, or others commissioned as his Assistants, at such Time, Day, and Place as he or they shall appoint for hearing and determining the same; then it shall and may be lawful for the Provost Marshal, or Deputy, to take the Body or Bodies of such Person or Persons, and him or them to convey to his Majesty's Prison in these Islands, there to remain without Bail or Mainprize until such Person or Persons shall deliver up the said Money, Goods, or Effects, or give good and sufficient Security as aforesaid.

Chief Justice, Sec. to determine all Causes for which such Writ issues, at the next Court after the Return of it.

AND be it enacted by the Authority aforesaid, That it shall and may be lawful for the Chief Justice, or others, commissioned as aforesaid, to hear, try, and determine all Actions or Causes whatsoever, for which such Writ, or Writs of Attachment shall be granted at the next Court of Assize, which shall and may be called and held for these Islands after granting the said Writ of Attachment, or to call and hold a Court or Courts, when and as often, and at any Time, Day, and Place as he or they shall think proper for the hearing, trying, and determining the same; and in Case Judgment shall pass for the Plaintiff, to grant out Execution for the Debt and Charges, which Charges shall be taxed by the Judge or Judges aforesaid.

Provido.

PROVIDED always, and it is hereby further declared to be the true Intent and Meaning hereof, That all and every Person and Persons as shall or may be attached, summoned, or served with any such Writ of Attachment, and at the same Time really and (*Bona Fide*) have not any Money, Goods, or Effects whatsoever, belonging, or any Ways appertaining to the Party or Parties, Debtors in the aforesaid Writ mentioned and expressed, nor have not, directly nor indirectly, transferred the Possession of the same from themselves into the Hands or Possession of any other Person or Persons whatsoever, with Intent to evade the Writ and Proceedings thereof; that then, and in all such Cases, upon Corporal Oath made as aforesaid in the said Court by such Person or Persons, that then the aforesaid Writ, and all Proceedings thereupon, shall cease, abate, and be determined; and that all Charges, Troubles, and Damages thereby occasioned to the Person or Persons so attached or served as aforesaid, shall be taxed by the Chief Justice, or others commissioned as aforesaid, who are hereby empowered to grant out against the Plaintiff Execution of the same, in case Payment thereof be refused or delayed; but in case such Person or Persons shall be summoned, or served with any such Writ of Attachment, shall refuse to make Oath as aforesaid, or to give a just and true Account (upon Oath) of the Money, Goods, or Effects which he or they have in his or their Hands, Custody, or Possession, belonging to the Defendant,

Defendant, that then, and in every such Case, it shall be adjudged by the said Court, that such Person or Persons so refusing, hath Money, Goods, or Effects of the said Defendant's sufficient to satisfy the said Debt and Charges.

AND be it further enacted by the Authority aforesaid, That when and as often as it shall be adjudged by the said Court, that any Person or Persons whatsoever summoned or served by any Writ of Attachment, has in his Hands, Custody, or Possession, Money, Goods, or Effects of the Defendant's, and shall refuse or delay immediately to deliver up the same to the Provost Marshal or Deputy, or to give good and sufficient Security for the surrendering up thereof, or so much as will satisfy the said Debt and Charges, that then it shall and may be lawful for the said Court to commit such Person or Persons to his Majesty's Prison in these Islands, there to remain without Bail or Mainprize until he shall deliver up the said Money, Goods, or Effects of the Defendant's, or give good and sufficient Security as aforesaid.

Persons refusing to deliver up Goods, pursuant to Order of Court, may be committed to Gaol.

PROVIDED always, That the Person or Persons that sues out Execution for the Debt for which the Attachment was had, shall, before the same be granted, give good Security in double the Sum sued for, to restore the same, with Costs and Damages, if at any Time within Two Years the Debt shall be disproved, or appear to be satisfied before such Proceedings by Attachment.

AND be it further enacted and ordained by the Authority aforesaid, That the Plaintiff or Defendant, or his or their Attorney or Attornies, or the Garnishee of either of them, shall, and may have Liberty to appeal from the said Court unto the Governor and Council for the Time being, the Court of Chancery in these Islands; provided the said Appeal be craved in Court and filed in the Secretary's Office in these Islands within Thirty Days from the Date of the Appeal so craved; as also provided, the Appellant gives good and sufficient Security in the said Court before the same be granted, to perform the Judgment thereof; and also to pay to the Appellee all his reasonable Costs, Charges, Expences, and Damages, which the said Appellee shall sustain by Reason of the said Appeal, in case the said Judgment be confirmed by the said Court of Chancery, or if the Appellant shall not prosecute his said Appeal to Effect; which said Costs, &c. shall be taxed by the aforesaid Court of Chancery.

Persons dissatisfied with the Judgment at Law, may appeal to the Court of Chancery, &c.

AND in cases of Debt not exceeding Twenty Shillings, the Justice of the Peace of the Tribe or Parish where the Person or Persons shall dwell or reside, who are known, or supposed to have any Money, Goods, or Effects of the Defendant's in his or their Hands, Possession, or Custody, shall grant out his Warrant of Attachment; and in Cases of Debt exceeding Twenty Shillings, but not exceeding Forty Shillings, the said Justice of the Peace, and one other Justice of the Peace in these Islands, shall grant out their Warrant of Attachment, directed to the Constable or Constables of the same Tribe or Parish, requiring him or them to attach the Money, Goods, or Effects of the Defendant's; and in case such Person or Persons, upon whom such Writ of Attachment shall be served, shall refuse or delay to deliver up to the Constable or Constables the Money, Goods, or Effects of the Defendant, or make Oath as is mentioned in the former Part of this Act, that then, if the Judgment shall pass for the Plaintiff, Execution for the Debt and Charges shall be awarded against such Person or Persons who shall refuse to deliver up the Money, Goods, or Effects of the Defendant, or to appear and make Oath as aforesaid, as is usual in all other Actions or Causes determinable before one or more Justices of the Peace in these Islands; provided, that before the Execution be granted by such Justice or Justices, Security be given, as in the former Part of this Act is mentioned and expressed.

By whom Writs of Attachment for Debts under 40 s. may be granted.

AND be it further enacted by the Authority aforesaid, That if the Defendant or Defendants shall arrive into these Islands after any such Writ of At-

The Defendant's Return into these Islands not to vary the Determination of the Suit. attachment; yet nevertheless, the same shall and may be heard, tried, and determined by the said Court, Justice, or Justices, as if the Defendants had continued absent; any Law, Custom, or Usage to the contrary notwithstanding.

Person served with Writ of Attachment, may satisfy himself any Debt due to himself, before he delivers up the Goods attached.

AND be it further enacted, That if the Defendant or Defendants shall be indebted to any Person who shall be summoned or served with any such Writ of Attachment, then it shall and may be lawful for such Person to retain and keep so much of the Money, Goods, or Effects of the Defendant in his Hands or Possession as will satisfy the Debt then due unto the Persons summoned or served as aforesaid; which Goods or Effects shall be valued and appraised by Three indifferent Persons, to be appointed from Time to Time by the Court, Justice, or Justices, before whom the Matter or Cause shall be tried.

Proviso.

PROVIDED, That if any Money, Goods, Wares, Merchandize, or Effects, belonging to any the Inhabitants of these Islands, shall be attached, or if any Person or Persons, who is supposed to have any Money, Goods, Wares, Merchandize, or Effects belonging to any Person or Persons, being an Inhabitant or Inhabitants of these Islands, shall be served with any such Writ of Attachment, granted out by the Chief Justice, or his Assistants, that then no further Proceedings shall be thereupon had or made until Twelve Months after the Departure of such Inhabitant or Inhabitants from these Islands, except where the supposed Garnishee or Garnishees, not being Plaintiff or Plaintiffs in the Action, shall be bound off these Islands, and shall make Application to the Chief Justice aforesaid, or his Assistants, that a speedy Hearing and Trial may be thereon had and made; that then, and in every such Case, the said Chief Justice, or his Assistants, may and shall call a Court to hear, try, adjudge, and determine the same; but then Execution shall be delayed until the Time aforesaid; any Thing in the foregoing Part of this Act, or any Law, Custom, or Usage to the contrary hereof in any wise notwithstanding.

By whom and in what Manner Goods taken in Execution shall be disposed of.

AND be it further enacted by the Authority aforesaid, That all Goods, Wares, and Merchandize, or Effects whatsoever, attached by the Provost Marshal, or his Deputy, or any Constable, that shall come into his or their Hands by Virtue of this Act, shall be exposed to sale within Twenty Days after the same be taken into Execution, and that publick Notice of the Time, Day, and Place of the Sale of any such Goods, Wares, or Merchandizes, to be made by the Provost Marshal, or his Deputy, shall be, by him or them, given Ten Days at least before the same be exposed to sale, by putting up an Advertisement at Two or more publick Places in the Country Part of the Islands, and also at the Town Bridge; and the Money arising by the Sale thereof shall be delivered, or so much thereof as will satisfy the said Debt and Charges, into the Hands of the Creditors or Complainants within Twenty Days after the sale thereof, returning the Overplus, if any, to the Party or Parties from whence it was taken.

Penalty on the Provost Marshal, &c. not delivering the Money arising by such Sale to the Creditors.

AND be it further enacted by the Authority aforesaid, That if the Provost Marshal, Deputy, or Constable aforesaid, shall refuse or neglect to deliver the Money arising by the Sale as aforesaid, to the Creditors or Complainants, or the Overplus, if any, to the Person or Persons from whom it was taken as aforesaid within the Time aforesaid, then for every such Refusal or Neglect, to pay to the Party or Parties grieved double the Sum attached for, which shall be recovered in any legal and proper Court in these Islands, which shall or may have Cognizance and Jurisdiction of such Matters.

Continuance of this Act.

AND that this Act be and continue in full force for and during the Term of Five Years from the Publication hereof, and from thence to the End of the next Sessions of Assembly, and then to determine and expire.

An Act for renewing an Act, intituled, An Act for the further and better regulating Negroes and other Slaves, and for the more effectual and speedy Way of prosecuting them in Criminal Causes.

WHEREAS the abovementioned Act was enacted and made to be in force for the Term of Three Years, and from thence to the End of the next Sessions of Assembly, and is now expiring; and it being found for the general Good of the Inhabitants of these Islands to renew and prolong the same, together with the Clauses therein particularly mentioned; We therefore, your Majesty's most dutiful and loyal Subjects, the Assembly of these your Majesty's *Bermuda or Summer Islands* in *America*, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant Governour, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That the said original Act, together with the said Clauses therein particularly mentioned, are hereby renewed and prolonged for the further Term of Five Years from the Publication hereof, and from thence to the End of the next Sessions of Assembly.

The Act for regulating Negroes, &c. renewed.

F I N I S.



E R R A T A

- Page 87. **L**INE 13, for *stoft*, read *flocked*.
 Ibid. Line Ult. for *Tuckle*, read *Turkle*.
 92. Line 43, for *such*, read *this*.
 93. Line 11, for *unreasonable*, read *unseasonable*.
 94, 99. In the Margin, for *Expiring*, read *Expired*.
 102. Line 4, read *to plot*.
 103. Line 22, after *require* close the Parenthesis).
 105. Line 10, for *Jepardy*, read *Jeopardy*.
 109. Line 10, dele Parenthesis after *excepted*, and place it after *Possessions*) in the next Line.
 111. Line 5, for *Aet*, read *An Aet*.
 112. Line 3, after *Thing*, add *therein*.
 114. Line 13, for *Exportation*, read *Importation*.
 Ibid. Line 25, after *paid for*, read on, continuing the Paragraph, *and as his Salary, &c.*
 Ibid. Line Ult. *to pay the same* should be in *Italick*, being no Part of the Title of the Act.
 117. Line 29, for *Apellee*, read *Appellee*.

General TITLES.

A.
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 Actions, *vide* Courts.
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 Appeals, *vide* Courts.
 Apprentices.
 Assizes, *vide* Courts.
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 Attornies.

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 Bounds of Land.
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Castles and Forts.
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 Coroners, *vide* Fees.
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 Costs and Damages, *vide* Attornies, *vide* Courts.
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Damages by Cattle, Poultry, &c.
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R.

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A N

ABRIDGMENT

O F T H E

ACTS of Assembly

O F

B E R M U D A.

1690, and 1691.

Acts and Assemblies.

AN Act for vacating the Indefinite Acts made at the last Session. Fol. 1.

All the Indefinite Acts passed at an Assembly before 1690, declared void.

An Act appointing the Number of Assembly-Men, and registering the Acts. Fol. 18.

Four Representatives to be chosen for each Tribe, and Four for the Town of St. George.

A Register of all Acts to be kept in each Tribe, and in the Parish of St. George.

1694.

An Act for Payment of the Assembly. Fol. 37.

Members of Assembly to have 2 s. 8 d. per Day each; to be raised by Parish Tax, and levied by the Justice of Peace; and the Members themselves to be excused paying towards it.

1690, and 1691.

Apprentices. Fol. 11.

An Act for putting out Apprentices, and setting idle Persons to Work. Fol. 11.

The Church-Wardens, or Overseers of the Poor, with Consent of Two Justices, shall put Children Apprentices, according to Act of 43. Eliz. Cap. 2.

And such as are 15 Years of Age, and live idly, shall be forced to work, or go to Service, accord-

ing to the Act of 7 Jac. Cap. 25, and 28. and 3 Car. I. Cap. 4.

Attaching the Goods of Non-Residents. Fol. 115.

Preamble sets forth the ill Consequences attending Trade when Goods cannot be attached for Debts, and the Debtors themselves are absent; and therefore enacts, That the Chief Justice, or his Assistants, for any Debt above 40 s. may grant a Writ of Attachment to be served on the Person in whose Custody any Goods or Effects shall be found belonging to Persons who are indebted to the Plaintiff.

If the Person who is served with such Writ of Attachment shall neglect to deliver up to the Provost-Marshal the Effects of the Defendant, or to give Security to surrender the same, when required by lawful Authority, or to appear to try the same, then the Provost Marshal shall take such Person into Custody.

Chief Justice, or Assistants, may try such Cause either at the next Court of Assize, or call a special Court to try the same; and if Judgment pass for the Plaintiff, to grant Execution thereon for Debt and Charges.

Provided if the Person served with such Attachment shall make Oath, that he hath not any Effects belonging

An ABRIDGMENT of

longing to the Defendant, nor indirectly transferred the same, then the Writ shall cease, and such Person shall be allowed his Costs; but if he refuse to take such Oath, or to give Account upon Oath of what Effects he has in his Hands of the Defendant's, then he shall be deemed to have sufficient Effects in his Hands to pay the Debt and Charges.

When it shall be adjudged by the Court, that any Person has Effects of the Defendant's, and shall delay to deliver up the same, or to give Security to surrender the same, or so much as will satisfy the Debt and Charges, then the Court may commit such Person until he comply.

Provided the Plaintiff give Security to refund with Costs if his Debt be disproved in Two Years.

Either Party not satisfied, may appeal to Chancery, if the Appeal be craved in Court, and Security given to pay Cost and Damages if the first Judgment be confirmed, or the Appeal not prosecuted to Effect.

In Cases of Debts not above 20 s. the Justice of the Tribe may grant Attachment; and if above 20 s. and under 40 s. then Two Justices may grant Attachment, directed to a Constable to attach the Effects; and such Justices shall proceed in the Manner before directed.

If the Defendant arrive after Attachment granted, yet the Cause may be tried as if he had been absent.

Persons served with Attachments, may detain so much of the Defendants Effects in their Custody as will satisfy any Debts due to themselves.

If the Defendant be an Inhabitant, his Goods shall not be attached until he have been 12 Months absent, unless the Garnishee be also bound off the Island, then the Cause may be tried; but Execution shall be suspended during the said 12 Months.

Goods attached shall be exposed to Sale in 20 Days, and 10 Days Notice given by Advertisement of the Sale; and when Debt and Charges paid, the Overplus shall be returned to the Person from whence it was taken within 20 Days after Sale.

If the Provost-Marshal, or Constable, neglect to deliver the Money arising by such Sale, as before directed, he shall pay double Damages.

Attornies. Fol. 67. 1704.

An Act to prevent Attornies suing without giving Security to pay Costs.

All Attornies suing Inhabitants of these Islands on the Behalf of other Persons, shall give Security to pay Cost if cast, or else the Action shall cease.

Bastardy.

1690, and 1691.

A N Act passed in 1690, and another in 1707, both relating to Bastards, are obsolete, and supposed to be of no Use; and no authentick Copy of the First could be found to be printed.

An Act against Bastardy. Fol. 89. 1723.

The Mother of a Bastard Child shall discover upon Oath who is the Father; and if she refuses, then she

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she shall give Security to indemnify the Parish; which if she refuses, or is not able, then she shall be committed to Gaol, or whipt at the Justice's Discretion.

But if she discovers the Father, he shall compound with the Parish, or give Security to maintain the Child.

And if he refuse, or be not able, he shall be committed to Goal, or whipt at the Justice's Discretion.

If a White Woman have a Child by a Slave, the Justices may order both Mother and Father to be whipt at their Discretion.

Appeal allowed to the Session, where it shall be heard and determined according to the Laws of Great Britain.

1690, and 1691.

Boats. Fol. 10.

An Act against removing and taking away Boats from their Mooring Places.

Persons removing Boats from their Mooring Places, except in Case of Necessity, shall forfeit 5s. to the Owner, and pay all Damages.

Persons taking out of the Boats Oars or other Furniture, shall forfeit 5s. the Forfeitures to be levied by the Justice.

If a Servant or Slave commit such Offences, and not able to make Satisfaction, he shall be punished at the Justice's Discretion, and his Master shall pay 2s. 6d. to the Party grieved.

Bounds of Land. Fol. 9.

An Act to prevent the Destruction of Bounds.

Persons cutting down marked Trees, or removing Boundary or Mark without Consent of the Landlords on each Side, shall pay Damage at Discretion of Two Men sworn by the Justice, and pay 10s. to the Poor; and in case of Refusal to pay it, the Justice shall levy it; and for want of Distress, the Offender shall be punished at the Justice's Discretion.

1731.

An Act for ascertaining the Bounds of Land, and settling the Surveyor's Fees. Fol. 101.

Preamble sets forth the great Inconveniences attending the want of a regular sworn Surveyor, and enacts,

That the Surveyor shall plot his Surveys upon Paper, with the Courses, Distances, and Marks by him made, and deliver the same to each Owner of the Land.

The Surveyor shall take to his Assistance Five Commissioners, to be appointed by the Governor, who shall meet and survey Land in question, and shall hear and determine the Bounds in dispute, and shall take the Oath herein appointed.

The Surveyor and Three Commissioners to be a Quorum, and to summon the Persons concerned to a Place of Meeting for Surveys.

If Persons concerned neglect to appear, the Surveyor and Commissioners shall survey and lay out the Land without them.

Surveyor or his Assistants wilfully neglecting to appear and lay out Lands, shall forfeit 40s. to the Publick, to be recovered in a Court of Record.

Witnesses summoned and not appearing, or refusing to give Evidence, may be committed till they comply.

A Clause directing the Manner of proceeding on Surveys to discover and ascertain the Bounds of Lands.

Surveyor and his Assistants shall put the proper Persons in Possession of the Land, and award Costs of Survey; but the Commissioners shall serve *gratis*.

Persons refusing or delaying to pay Costs, the same shall be levied by the Commissioners Warrant to a Constable.

And if the Constable neglect, he shall forfeit 5l.

On Prosecution of such Delayer or Refuser, the same Fees shall be paid as usual in other Executions and Services; and for want of Distress, the Refuser shall be committed till paid.

Every Person obstructing the Surveyor or Assistants in the Execution of their Duty, shall forfeit 5l.

Persons sued for putting this Act in Execution, shall recover double Costs.

Bridges. Fol. 16. 1690, and 1691.

An Act for maintaining the Publick Bridges.

All

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All Bridges to be repaired and amended, and Two Persons to be appointed by the Governor and Council for the Time being to repair the Stone Bridges; Two for the Flats Bridge, and Two for *Somerset Bridge*, out of the respective Tribes.

Such Persons may employ Workmen for that Service; the Charge to be paid out of the Publick Revenue by Order of the Governor and Council.

1690, and 1691.

Button Wood. Fol. 10.

An Act to prevent the Destruction of *Button Wood*.

Persons going upon other People's Land to break *Button Wood*, or any Way destroy the Tree or Bark, on Conviction before a Justice, shall forfeit 20 s. to be levied by a Justice; One Third to the Party grieved, One Third to the Crown, the other Third to the Informer.

The like Penalty on Tenants, or others, destroying *Button Wood*, or the Bark on the publick Lands; Two Thirds to the Crown, One Third to the Informer.

Castles and Forts. Fol. 5. 1690, and 1691.

For keeping a Guard at the Castle and *Paget's Fort*.

At the Castle a Lieutenant and Four Men to watch by turns, Two at a Time, and to have 4 l. per Ann. each.

At *Paget's Fort* Two Men to watch by turns, and to have 4 l. per Ann. each.

The said Wages to be paid by the Provost-Marshal, by Order of the Governor, out of the publick Revenue.

Eighty Ears of Corn, or Eighteen Pence in Money, to be paid for every Share of Land, except Glebe, to be equally divided between all the Seven Men.

And if any Damage happen to such Corn, it shall be made good out of the publick Stock of the Islands. Ten Shillings a Year added to each Man's Wages by an Act of 1694.

Fol. 36.

Additional Act.

Fol. 79. 1713-14.

Whosoever shall refuse to pay his Proportion of Money, or Corn, the same shall be levied by the Justice's Warrant.

Second Additional Clause. Fol. 100. 1731.

Every Share of Land shall pay 1 s. 6 d.

Half Share, - - - 0 9 d.

Less, - - - 0 8 d.

Fourth of a Share, or less, 0 4 d.

To be collected by the Constables, and paid by them to the Justices, and 3 l. 15 s. 0 d. to be paid by each Parish to the Use of the Castle, and the Overplus to be to the Use of the Parish.

Glebe Lands, not manured by the Minister himself, shall pay as other Land.

An Act for keeping a good Look-out at the Mount in *St. George's*.

Fol. 6. 1690, and 1691.

A Person to be appointed to go to the Top of the Mount and look out Three Times a Day, and give Notice to the Governor of any Vessel seen on the Coast, who for his Care shall have Two Hundred Pound Weight of Tobacco per Annum, to be paid by the Provost-Marshal out of the publick Stock.

The Mount-Keeper to be appointed by the Governor and Council.

Cedars.

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Cedars. Fol. 29.

1693.

An Act to prevent the Destruction of Cedars.

To prevent young Cedars on the publick Lands being destroyed, its enacted, That every Person destroying such Cedars shall pay for every Tree treble the Value; One Third to the Informer, and Two Thirds to the Publick; and Masters to answer for Servants or Slaves; Penalty to be levied by a Justice; and Slaves offending, to be whipt.

Corn exported, ingrossed, or stolen. Fol. 8.

1690, and 1691. An Act against buying and ingrossing Corn and Merchandize.

Importers of Goods shall give Seven Days Notice of Sale, and if any Person buy sooner, in Order to advance the Price, he shall forfeit the Value bought.

If any Person be convicted of buying within the said Time to sell for Advantage, he shall forfeit the Value ingrossed; Two Thirds to the Crown, and One Third to the Informer.

Officer to give Notice hereof to all Persons as they go to enter.

An Act to prevent stealing Corn, Palmetto-Tops, and Provisions.

Fol. 14.

Persons taking away Corn, robbing Gardens, or stealing Pumpions, Potatoes, or other Provisions, Palmetto-Tops, or other Thing, not being Felony, on Conviction, shall pay double Damage, to be levied by Justice's Warrant, for the first Offence, for the second Offence to be whipt at the Justice's Discretion.

If such Offence be committed by a Servant or Slave, the Master shall pay such Damage as the Justice shall think reasonable, and the Servant or Slave shall be whipt.

Persons wandring unnecessarily over other Peoples Land, shall forfeit to the Party grieved Ten Pound of Tobacco, or be whipt at the Justice's Discretion.

1694.

An Act against Exportation of Corn.

Fol. 39.

No Corn of the Growth of these

Islands shall be exported by Way of Trade, if the Owner can get Two Shillings and Eight Pence per Bushel of any Person in these Islands, or by the Publication or Notice of the same publickly made One Month before such Exportation, on forfeiture of Five Shillings per Bushel, Half to the Informer, and Half to the Publick, to be levied by Two Justices, if under Forty Shillings, if above Forty Shillings, by a Court of Record.

Additional Clause. Fol. 109. 1733.

Sets forth, That Tobacco cannot be had to pay Fines, and therefore enacts, That any White or Free Person wandring unnecessarily over any other Person's Land, shall, instead of Ten Pound of Tobacco, forfeit Two Shillings and Six Pence to the Person grieved, to be levied by a Justice's Warrant, and if no Distress can be had, the Offender to be imprisoned till he does pay it.

If such Trespass be done by a Slave, the Slave shall be whipt, except it appear to have been done by his Master's Order, and then the Master shall suffer as if he had done it himself.

Courts. Fol. 18.

An Act about Pleading.

1690, and 1691.

Preamble complains, That unskilful Persons pleading Causes have disappointed the Suitors, and therefore enacts, That any Person may plead his own Cause, or employ such Person to assist him as he thinks meet.

An Act for establishing and regulating Courts of Judicature. Fol. 18.

A General Assize shall be held on the first Monday in December yearly.

The Judges to have Cognizance, hear, and determine all Pleas, Civil and Criminal, as fully as the Judges of the King's-Bench, Common-Pleas, Courts of Oyer and Terminer, Gaol Delivery, or Assize in England can or may do, and all Actions to exceed Twenty Shillings, and none to be entred under. And either Party may in Court appeal to Chancery; but if the Verdict be confirmed in
C Chancery,

An ABRIDGMENT of

Chancery, the Appellant shall pay double Damages.

Governor and Council may hold a Court of Chancery, and if the Cause exceed One Hundred Pounds Sterling, either Party may in Court appeal to the Crown, but shall in Ten Days give Security to prosecute the same to Effect in a Year, or to pay treble Damages, Casualties at Sea, and inevitable Dangers excepted.

No Man shall be a Juror but of reputed Integrity, and worth Forty Pounds Sterling.

Justices to summon Tribes or Parishes, and choose Jurymen by Plurality of Voices.

Attorney, or Pleader's retaining Fee, Five Shillings.

Pleading Fee, Five Shillings.

And if they take more, to forfeit Twenty Shillings, and be punished as the Governor and Council think fit, if it be complained of in Twenty Days.

All Actions on the Case above Twenty Shillings and under Five Pounds, to be entred in the Secretary's Office without Declarations, if the Plaintiff think fit.

But if above Five Pounds, it shall be entred with a Declaration, and 15 Days Warning given to the Defendant before the Assizes, and the Defendant shall plead Five Days before the Assizes; but for Bonds, &c. the Plaintiff need not declare. In Actions of Ejection, firm Declarations, and Answers, shall be allowed Time for warning and entring as above.

Secretary shall shew Records in his Office, or give Copies for his due Fee, on Penalty of Five Pounds, and treble Damages to the Party grieved, to be levied by a Justice. Governor and Council may call Assizes more than once a Year.

An Act for limiting the Time Appeals shall be prosecuted, &c.

Fol. 35.

All Persons appealing from the Courts of Common Law to the Governor and Council, shall file a Bill in Chancery in Thirty Days, or else be excluded the Benefit of such Appeal, and Execution shall issue according to the Judgment given at Common Law.

Additional Clause to the Act for establishing Courts, directs the Provost-Marshal to summon a Jury for a Court of Exchequer,

or Special Court, out of the Panel of Jurors at the last General Assizes.

Fol. 38.

An Act for speedy Payment of Bills of Cost at Common Law and Chancery.

Fol. 69.

All Persons appealing from the Courts of Common Law to any other Court, shall first pay the Cost at Common Law before any Injunction shall have a Coercive Power to retain the Proceedings at Common Law.

No Appeal from the Court of Chancery to the Crown to be allowed till Costs in Chancery are first paid.

An Act for further regulating the Courts of Judicature.

Fol. 73.

Enacts, That all Writs, Suits, &c. entred since Capt. Jones's Arrival in those Islands, shall cease and be void; but that Proceedings in Criminal Cases to hold good, as also the Orders for holding Two Courts of Assize in a Year.

This Act seems to be obsolete, except that Part of it which confirms the Order for holding Two Assizes each Year.

An Act to prevent vexatious Suits, and limiting the Time for returning Executions, &c.

Fol. 111.

If any Person commence an Action, and do not effectually prosecute the same, the Party grieved shall have his Cost awarded by the Court, and Execution shall issue to levy the same.

All Executions issued shall be returnable in Four Months from the Date thereof.

And within Thirty Days after Service.

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Damages by Cattle, Poultry, &c.

1690, and 1691.

AN Act to prevent Damages by Cattle, Poultry, &c. Fol. 15.
Cattle breaking loose, or running at large, may be empounded till Satisfaction made at the Discretion of Two indifferent Persons appointed by the Justice, and to be levied by the Justice's Warrant.

If Hogs, Sheep, Goats, or Poultry do Damage in other Men's Ground, and the Owner, on Notice given, do not prevent it, the Person grieved may kill them, and then the Owner may have them again, paying Damage as aforesaid.

The Owner of Hogs or Poultry killed, shall have Notice in an Hour, on Penalty of paying Damages; but if on reasonable Notice he does not fetch them away, they shall be valued and sold, and the Money, after Charges deducted, paid to the Owner.

Additional Clause. Fol. 108.

1733.

Preamble sets forth the Deficiency of the former Act, and enacts, That if any Horses, or other Cattle, Poultry, &c. break loose, or go at large, and do Damage, the Owners shall make Satisfaction at the Discretion of Two Persons appointed by the Justice to value the same on Oath.

No Person shall shoot or kill any Cattle, Hogs, or other Creature doing Damage, except Poultry only, and that not till after Warning given of the doing Damage.

Any Person appointed by a Justice to view Damage, and neglecting, shall forfeit Twenty Shillings, to be levied by the Justice.

Debts and Damages. Fol. 7.

An Act for Recovery of Debts and Damages by Merchants, Strangers, Mariners, &c. 1690, and 1691.

In case of Inhabitants contracting Debts with Merchants, Strangers, or Mariners, who cannot stay till the Assizes, the Governor may grant a special Court, and direct the Sheriff to summon a Jury to try the Cause, and upon Verdict given, to award Execution, and no Appeal allowed but to the Governor and Council, who are also to tax Costs.

An Act to prevent the evading the Payment of just Debts, and Satisfaction of Damages. Fol. 62.

No Person shall depart the Island who has an Action entred against him without giving Security to answer the Award of the next Assizes; and no Special Court shall be granted but to Merchants, Strangers, and Mariners, as directed by the foregoing Act; and no Ticket shall be granted to go off the Island until such Security be given.

Debts not above 40s. Fol. 70.

An Act empowering the Justices to determine Debts not above 40s. 1707.

All Debts and Trespasses not above 40s. shall be determined by the Justice of the Tribe where the Defendant lives, taking to his Assistance another Justice.

If the Debt, &c. exceed not Twenty Shillings, then the Justice of the Tribe shall hear and determine it.

And the Justices may summon Defendants, and in Case of Non-Appearance, proceed to Trial, and give Judgment without Appearance; and if Satisfaction be not made in Ten Days after Judgment, the Justice may levy the same, by Warrant of Distress directed to a Constable, on the Defendant's Goods, and sell them in Four Days; and for Want of Distress, to commit the Person till he pay it.

Each Justice's Fee for Trial,	1 s. 0 d.
A Warrant,	1 s. 0 d.
Distress,	1 s. 4 d.
Constables for a Summons,	0 s. 6 d.
A Distress,	1 s. 0 d.

No

An ABRIDGMENT of

No Action to be admitted in any Court unless above Forty Shillings; Justices to keep Records of Trials, on Penalty of the Value of the Cause. If a Justice be a Party, the Two next Justices shall try the Cause.

Dogs. Fol. 7.

1690, and 1691. An Act to prevent Mischief by Dogs. Owners of Dogs having Notice of Mischief done by them, and not taking Care to kill them as the Justice shall order, shall forfeit Twenty Shillings to the Publick; to be levied by the Justice's Warrant, and if no Distress can be had, the Person to be whipt.

in the Act of Parliament for the better settling Intestates Estates, passed in the 22d and 23d Carol. II. Chap. 10.

Estates — Quieted. Fol. 71.

An Act for quieting Estates, and preventing Law-Suits.

All Persons who have quietly enjoyed Estates Twenty Years, shall enjoy them for ever.

But not to debar Titles of Reversion, if prosecuted within Twenty Years after the Cause of Action accrues. With a Saving for Persons under Disability, provided they sue in Seven Years after their Disability is removed.

Estates of Intestates. Fol. 17.

1690, and 1691. AN Act for settling Intestates Estates.

To prevent Differences that may happen about Intestates Estates, the Estates of all Persons dying intestate, shall be distributed according to the Rules prescribed

Fast Days. Fol. 61.

AN Act establishing Fast Days. 1701.

Preamble sets forth divers Judgments they were visited with, and therefore enacts, That the first Wednesdays in October, January, April, and July, yearly, shall be observed as Fast Days, and that all Persons

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Persons shall resort to Divine Service on those Days.
Ministers to give Notice the *Sunday* before such Fast, and provide a proper Sermon for the Day.
No Person, their Slaves, &c. shall work on those Fast Days, nor open Shop, Tavern, &c. on Penalty of Forty Shillings, to be recovered before 2 Justices; Half to the Parish, and Half to the Informer. Fol. 61.

Fees. Fol. 31.

1694.

An Act for settling the Governor's, and all his Officers Fees.
Appoints the Governor's Fees. Sheriff's, or Provost-Marshal's. Secretary's.
Collectors, outwards and inwards.
Naval Officers, outwards and inwards.
Pilots; *but see a Subsequent Act, Fol. 37. for Pilots.*
Coroners.
Courts of Assize, and Common-Pleas.
Special Courts.
Court of Exchequer.
Court of Admiralty.
Any Officer being convicted in a Court of Record of taking higher Fees than herein is allowed, forfeits Five Pounds, Half to the Publick, and Half to the Informer.

Fish.

1728.

An Act to prevent any Person from keeping any Nets above Three Fathoms and a Half long, and to prevent hawling Fish. Fol. 91.
Preamble sets forth the great Evil of hawling Fish with long Nets, and enacts, That every Person using or keeping any Nets in their Houses, &c. except Turtle Nets, above the Length of Three Fathoms and a Half, or shall hawl Fish (commonly caught with Hooks) with any Nets joined together, or with any Wadds or any other Contrivance, exceeding the Length of Three Fathoms and a Half, shall forfeit Twenty Five Pounds, Half to the Publick, and Half to the Informer, to be recovered before a Justice, and the Nets to be burnt.
Justices neglecting their Duty, shall forfeit Twenty Five Pounds, to

be recovered before Two other Justices.

Fines to be levied by Distress, and for want of such Distress, the Offender to be committed Three Months to Prison, or till the Fine is paid.

If a Slave be found guilty of a Breach of this Act, he shall be punished at the Justice's Discretion.

Two Months allowed to such as have long Nets to dispose of them.

All Prosecutions to be in Three Months after the Offence committed. *Enacted for Five Years, and continued in 1734. for Three Years longer, and from thence to the End of the next Session of Assembly.*

Gaming. Fol. 5.

AN Act against Gaming enacts, 1690, and 1691.
That Retailers of Liquors suffering Card-playing, Dice, or other unlawful or new invented Games to be used in their Houses, shall forfeit Forty Shillings; One Third to the Informer, the rest to the Poor; to be levied by a Justice's Warrant.

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Gold.

An ABRIDGMENT of

Gold. Fol. 76.

1707. An Act for settling a Current Value upon Foreign Gold.
 Pistoles of Gold weighing Four Penny Weight Six Grains, shall pass current at One Pound Four Shillings.
 Half Pistoles and Chiguines of Two Penny Weight Three Grains, at Twelve Shillings.
 Double Pistoles of Eight Penny Weight Twelve Grains, at Two Pounds Eight Shillings.
 And for every Grain, more or less, to be allowed Three Pence.

Governor's House. Fol. 27.

1693. An Act for selling the Governor's Old House, and erecting a New One.
 The Old House and Kitchen, with the Ground, being inconvenient and out of Repair, is enacted to be sold for the Use of the Publick by Two Commissioners, as also the Timber, &c. belonging thereto, in the Governor's Possession, shall be sold, or taken away.
 A New House to be built fit for the Reception of the Governors; and the Charge paid by the Publick, by Order of the Governor, Council, and Committee of Assembly, in the Manner prescribed by the Liquor Tax.
 1698. An Act for building an House for the Governors. Fol. 45.
 The above Act, so far as relates to the building a New House, having been neglected, Two New Commissioners are now appointed to proceed on that Work, and to be paid for their Trouble by the Publick.

Guards.

1735. An Act for appointing a Guard to attend the Governor at his going to Divine Service. Fol. 115.
 The Governor having usually been attended by a Serjeant and Six Men of the Militia Company of St. George's, it is therefore enacted, That if any Person belonging to the said Company shall neglect or refuse to guard the Governor to Church, on being summoned so to

do, they shall suffer as by the Act to regulate the Militia is mentioned for their Appearance to Exercise.

Highways. Fol. 15.

- A**N Act for repairing the Highways. 1690, and 1691.
 Highways and Paths to be kept clear and in good Order, and Surveyors to be appointed by the Governor and Council.
 If a Surveyor neglect his Duty, he shall forfeit Five Shillings to the Poor; to be levied by the Justice's Warrant.
 Persons neglecting to clear and mend Highways and Paths leading through their Land, after Notice given, the Surveyor shall clear and mend the same at such Person's Charge; to be levied by a Justice's Warrant. Fol. 15.
 Differences about Private Paths shall be decided by the Justice and Four indifferent Persons.
 Additions and Alterations to the foregoing Act. Fol. 48.
 Highways to be repaired, cleared, and mended

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mended at the Charge of the respective Tribes and Parishes, and be kept of such Breadth as the Surveyor shall think fit and direct, not exceeding Six Foot wide; and all Trees and Stumps within a Foot of each Side to be removed at the Expence of the Owners of the Land, upon Notice given them by the Surveyor.

The Governor to appoint a general Surveyor for all the Island to view Highways, and to take Care as Occasion shall require, or the Governor shall order; with a Salary of Five Pounds *per Annum*, and with such Power as the Governor shall see fit.

Horses.

1735.

An Act laying an Imposition on Horses. Fol. 113.

Preamble sets forth the great Damage accruing to the Islands by being over stocked with Horses, and therefore enacts, That an Annual Tax of Five Shillings shall be laid on each Horse or Gelding, and Ten Shillings on each Mare; to be collected by the Constable, and by him paid to the Receiver.

On Failure of Payment, the Tax shall be levied by the Justice's Warrant.

Ten Shillings Bounty given for every Horse or Mare exported, to be paid out of the Money arising by Virtue of this Act.

Officers neglecting their Duty in Pursuance of this Act shall forfeit Five Pounds.

No Money arising by this Act, except the Bounties aforesaid, shall be paid out but by Direction of the Governor, Council, and Assembly.

Mr. *Bascome* was appointed Receiver and directed to give Three Hundred Pounds Security.

An Impost of Twenty Shillings *per* Head laid on all Horses imported, to be levied by the Receiver's Warrant.

Horses imported and re-exported, shall have no Bounty, unless the Duty of Impost had been first duly paid.

The Receiver to be allowed 5 *per Cent.* for his Salary.

Jews. Fol. 35.

AN Act laying an Imposition on ^{1624.} all *Jews* trading in these Islands.

Preamble complains of Jews coming there to trade and get Money, and carrying it away, and therefore enacts, That *Jews* bringing Goods to sell, shall pay on their first Entrance Five Pounds to the Treasurer, and Twenty Shillings *per* Month for the first Year, Forty Shillings *per* Month for the second Year, and Twenty Shillings *per* Month advance every Year afterwards, which they shall continue, and after the same Rate for a lesser Time than a Month.

Jews having Goods consigned to them, shall pay Five Pounds, the same as at first Entring.

The Money to be paid as aforesaid, to be applied to the Use of the Publick; and *Jews* neglecting to pay, shall forfeit Ten Pounds, to be levied by a Justice; Two Thirds to the Publick, and One Third to the Informer.

One Month Allowance to *Jews* there to depart the Island, or pay the Five Pounds, as for Entrance.

Lord's

An ABRIDGMENT of

Twenty Shillings for White or Free Persons.

And Slaves to be whipt, except the Owner commanded them to do it, and then he shall forfeit Twenty Shillings, unless just Cause be shewn.

Justices neglecting their Duty, shall forfeit Three Pounds.

Lord's Day. Fol. 2.

1690, and 1691.

AN Act for strict Observation of the Lord's Day.

Preamble sets forth the great Prophanation of the Lord's Day in those Islands, and enacts, That no Person shall use or exercise any Sports, Fishing, or Employment on that Day, on Penalty of Five Shillings to the Poor; and if not able to pay it, then to be set in the Stocks, or whipt at Discretion of the Justice.

Every Person missing the Church, to forfeit One Shilling, or set in the Stocks.

Exception to such as stay at Home out of Conscience, and keep good Order in their Families, or are sick, or stay to dress Victuals.

No Writ or Process to be served on that Day, except in Criminal Cases.

All Prosecutions on this Act shall be commenced within a Month after the Offence committed.

1717.

Additional Act. Fol. 81.
The Penalty of Five Shillings made

Militia. Fol. 20.

AN Act to regulate the Militia. 1690, and 1691.

Preamble declares it absolutely necessary to train up the Inhabitants in Art Military, and therefore enacts, That every Person from Fifteen to Sixty Years of Age, shall appear at every Muster and Exercise, and at an Alarm, if the Captain think fit, with Musket, &c. and 25 Charges of Powder and Bullets, under Penalty of Five Shillings for Absence from a Muster, and Forty Shillings if absent from an Alarm; and for Defect of Arms or Ammunition, at

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at Exercises not above Five Shillings; at Alarms, not above Forty Shillings, as the Captain thinks fit; which if not paid, the Offender shall suffer as usual in Martial Law. Masters shall bring Slaves to the Rendezvous with Arms as they think fit, on Penalty of Ten Shillings.

No Person to refuse being Serjeant, Corporal, or Drummer in his Company, on Penalty of Forty Shillings, except they have served in a higher Office.

If an Officer or Soldier out of Arms endeavour to take Revenge for any Thing done in Service by a superior Officer, the Officers and Soldiers shall be brought to a Court Martial, and tried and punished there as if done in Service, not extending to Life or Limb.

The Captain shall deliver a Drum to every Drummer, and each Soldier shall pay the Drummer Four Pence *per* Year to keep it in Repair.

Every Soldier to buy himself a Sword, on Penalty of Ten Shillings; *with a Temporary Clause referring to Swords, then belonging to the Island, but now obsolete.*

All Fines upon any under a Captain, shall be to the Captain, to be levied by the Captain's Warrant; and if no Distress can be had, the Offender shall be tied Neck and Heels.

1693.

An Act to prevent False Alarms. Fol. 29.

If any Person fire a Gun after Daylight is shut in, or before Day breaks, except upon a real Alarm, he shall forfeit Five Pounds, to be levied by the Justice's Warrant; and if no Distress to be had, the Offender to be committed to Prison Six Months.

1708.

Additional Clause to the Act for regulating the Militia. Fol. 77.

Men's Sons, or Servants, of Age, and not appearing in the Field, or unfurnished with Arms, the Penalties shall be levied on their Parents or Masters.

All the Soldiers in the Troop of Horse Granadiers shall be liable to the Penalties in the Militia Acts, to be levied by the Colonel of the Troop's Warrant; and all such Soldier shall continue his Duty in the Foot till he is fully fitted for and entered into Service in the Troop.

Officers to go from House to House once in Four Months to examine Arms and Ammunition; and whoever is wanting, shall be liable to Penalty in the same Manner as at an Exercise; and that the Penalties and Punishment shall be levied and inflicted before the next Exercising Day.

Commanding Officers not sending the Inferiors, or the Inferior neglecting to go and examine Arms and Ammunition, shall forfeit Forty Shillings to the Government for each Neglect.

1717.

Alterations and Amendments.

Fol. 82.

Whatever Soldier is ordered by his Officer to watch or provide a Watchman compleatly fitted, and neglects, without sufficient Cause shewn, shall forfeit Five Shillings, to be levied and applied as aforesaid.

Ministers.

Fol. 26.

An Act for settling a Revenue upon 1693. the Ministers.

To encourage Religion and suppress Vice, its enacted, That the Ministers of St. George's shall have Twenty Five Pounds a Year paid by the Publick, and Twenty Five by the Parish, and the Two Shares of Glebe Land.

The Ministers for the Country Part of the Island, if Two, to have Forty Pounds a Year each, to be paid by the Tribes or Parishes they serve, and to have the Glebe Land between them.

If Three Ministers in the Country Part, the Third to have Forty Pounds paid by the Tribes he serves, and the Glebe Lands to be equally divided amongst them all Three.

The Money to be raised by Assessment in the respective Tribes; that is, if but One Minister, each Tribe to pay Five Pounds; if Two Ministers, each shall pay Ten Pounds; if Three, then each Tribe to pay Fifteen Pounds, to be levied by a Justice's Warrant.

An ABRIDGMENT of

Negroes and Slaves. Fol. 12.

1690, and 1691.

AN ACT to prevent buying and selling, or bargaining with Negroes and other Slaves.

No Slave shall buy or sell Goods on their own Account: and a free Person dealing with Slaves, shall forfeit Ten Shillings for every One Shilling Value dealt for, to the Crown for Publick Use, to be levied by a Justice's Warrant; and for want of Distress, the Offender shall be whipt at the Justice's Discretion.

No Master shall allow his Slave to plant Tobacco, Corn, or other Provisions for such Slave's Use, on forfeiture of One Hundred Weight of Tobacco; to be levied and disposed of, as aforesaid.

For Trying Slaves.

Slaves committing capital Crimes, and brought before a Justice, the Justice may bail them if he thinks it bailable.

The Offender shall be tried by a Judge and Jury, unless the Governor and Council think fit to try them otherwise.

The Oath of One White Person may convict a Slave, and strong Circumstances proved by a White Person; and the Testimony of One Slave, shall convict another Slave.

In lesser Facts the Evidence of One Slave shall convict another; to be punished as Justices think fit.

In Matters not bailable a Court shall be called with all convenient Speed to try such offending Slaves.

Addition to the foregoing Act.

1698.

Fol. 50.

When a Slave shall suffer Death for a Crime, his Value shall be taxed by the Jury, and returned with the Verdict, and shall be paid for to the Owner in Six Months out of the Publick Money of the Island.

This Act to be published Four Times a Year in each Tribe, on Penalty on the Justice of Five Pounds, Half to the Crown, and Half to the Informer.

N. B. The foregoing Act for trying Slaves, and the Addition to it, are both altered by an Act passed in 1730.

Fol. 94.

An Act for regulating Negroes and other Slaves, &c. is referred to in an Act for Alteration and Amendment of several Acts passed in 1717, but it does not appear that the Act referred to was ever transmitted to Great Britain.

Fol. 83.

This Act of 1717 recites, that the former Act enacted, That the Constables should cause a sufficient Watch to walk through each Tribe or Parish in the Night, at least Twice in every Week, and inspect suspicious Places, and examine what Slaves are abroad, on Penalty of Two Shillings and Eight Pence for every Neglect of the Constable; but no Penalty on such Persons as should neglect their Duty on the Watch: It is therefore enacted, That any Person who shall neglect to comply with the same, shall forfeit Two Shillings and Eight Pence; to be levied by the Justice's Warrant to the Use of the Poor.

N. B. This is re-enacted in another Act, passed in 1730.

Fol. 95.

An Act for Security of such as are

1723.

lawfully possessed of Slaves to their Property in the same.

Fol. 87.

Persons tempting or enticing other Persons Slaves away, or clandestinely entertain them from their Master's Service, or those who employ them with Intent to secret or conceal them from their Owners, or convey them out of the Island to defraud the Owners of them, and

the BERMUDA ACTS.

and being thereof convicted before the Governor or Chief Justice, or Two Judges, shall pay the Party grieved Twenty Pounds, to be levied on his Effects, and if not able to pay, he shall serve as a Servant Five Years to the Party aggrieved, or till he shall make Satisfaction.

And if any Person shall convey out of the Islands any other Person's Slave, and be afterwards apprehended and convicted as aforesaid, he shall pay the Owner Twice the Value of the Slave so sent away; and if he is not able to pay it, he shall serve the Person injured as aforesaid.

1730.

An Act for regulating Negroes, and for speedy prosecuting them in Criminal Causes. Fol. 94.

Preamble sets forth the Deficiency of former Laws, and the too great Indulgence given by Masters to their Slaves, and enacts, That all Masters of Slaves shall provide them with Food and Cloathing; but none, except the Governor, to wear Lace, Buckles, &c. nor any Sticks, Whips, or Clubs, unless Lame, nor other Ornaments.

Nor shall they be allowed to raise any Stock or Poultry, or plant Provisions, or make Cloth, on Penalty upon the Masters of Five Shillings, Half to the Parish, and Half to the Informer; and the Slave to be whipt at the Justice's Discretion.

Slaves carrying or sending Adventures to Foreign Parts by way of Trade, the Master or Owner of the Vessel may seize the same to his own Use.

Constables to cause a Watch to walk through the Tribe at least Two Nights in a Week, and inspect suspicious Places, and examine what Slaves are abroad, under Penalty of Two Shillings and Eight Pence; and to give Account to the Masters of their Slaves being found abroad, under the Penalty of Two Shillings and Eight Pence.

Slaves found absent shall be whipt by the Master, and if he neglects it, the Justice shall order the Constable to do it, and the Master shall pay for it.

Justice neglecting his Duty, shall forfeit Five Pounds; Penalties to be recovered as Actions of Debt under Forty Shillings.

Slaves, it is alledged, may and do commit heinous Crimes, and have not a Right to the same Liberty of Trial as the English Men; therefore it is enacted, That such Criminals brought before a Justice shall be bailed or imprisoned, and Three Justices and Four able Freeholders shall try such Criminal, and if judged guilty, punish them with Death, or otherwise, as they think fit, and to order Execution accordingly.

Freeholders refusing or neglecting to do their Duty, shall forfeit Five Pounds, to be levied by the Justices, Half to the Publick, and Half to him that will sue.

Such Justices and Freeholders shall value Slaves executed, and the Owners shall be paid for them out of the Publick Money.

Justices and Freeholders shall be allowed 40 s. a Day when they meet in Pursuance of such Trials out of the Publick Money.

Negroes then in Prison were to be forthwith tried by the Justices and Freeholders named in the Act, and the Charges defrayed by the Publick, or by the Owners of the Slaves, at the Justices Discretion; but this Clause was temporary, and has had its full Effect.

This Act to be published Twice a Year.

An Act to prevent the Forfeiture of 1730. Life and Estate for killing a Slave.

Fol. 98.

Preamble sets forth the Necessity of having Laws in the Plantations in such Cases relating to Slaves different from the Laws of England, and therefore enacts, That if an Owner of Slaves, in correcting them for Crimes, happen to kill such Slave, he shall not be subject to any Penalty.

If any Person in Pursuit of Slaves committing Felony, happen to kill One of them, he shall not be prosecuted for so doing.

Any Person wilfully killing their own Slave, they shall forfeit Ten Pounds to the Crown; and if any such Person wilfully kill another Person's Slave, they shall not only forfeit the said Ten Pounds as aforesaid, but shall pay the Owner the Value of his Slave, according to the Judgment of Freeholders appointed by a Justice.

Other Penalties to be recovered in a Court of Record.

Additional

An ABRIDGMENT of

7131.

Additional Clause to the Act for the further and better regulating Negroes, &c. Fol. 101.

This complains of the growing Impudence of Slaves, and enacts, That if any Slave shall stab, strike, or threaten any White Person, such Slave shall be tried and adjudged by the foregoing Act, and the Justices and Freeholders in the said Act expressed have hereby Power to punish such Slave with Death, or otherwise, as they shall see fit.

The Justices and Freeholders for Neglects are subject to the Penalties in the said Act; and this Clause to continue in Force during the Continuance of that Act, and published with it.

1732.

A further Additional Clause to the said Act. Fol. 105.

Slaves guilty of stealing to the Value of 12 *d.* or above, or putting any Person in Fear of their Lives, shall be deemed guilty of Felony.

Any Slave guilty of cutting or stealing any Tops or *Palmetto-Strings*, or having such found on him, and not giving a satisfactory Account how he came by them, shall also be deemed guilty of Felony, and tried in the Manner prescribed in the foregoing Act.

The abovementioned Act, with all the Additional Clauses, are renewed by an Act passed in November, 1736. Fol. 119. and continued Five Years from that time, and from thence to the End of the next Session of Assembly.

1732.

An Act to prevent Persons encouraging Negroes or other Slaves from rioting and meeting at unreasonable Times.

Preamble sets forth the great Damage to the Inhabitants by the Insolence of Slaves meeting on Nights to riot and dance, and therefore enacts, That every white Person who shall suffer Slaves to dance, cabal, or feast in their Houses or Possession after Sun-set, shall forfeit Forty Shillings, to be levied by a Justice's Warrant, Half to the Use of the Tribe, and Half to the Informer; and for want of Distress, the Offender shall be committed to Gaol till he does pay it.

And the Slaves who shall so meet, shall be whipt at the Justice's Discretion.

In Cases doubtful, the White Persons accused of suffering such Meetings, may purge themselves by their own Oath, which if they refuse to give, they shall be deemed Guilty.

Justice of the Peace neglecting or refusing to do his Duty, shall forfeit Five Pounds; to be recovered before Two other Justices, and applied as aforesaid.

The Act for the further and better regulating Negroes and other Slaves, &c. expiring, the same, with the abovesaid Additional Clauses, were in 1733. Fol. 110. renewed and prolonged three Years, and to the End of the next Sessions of Assembly, with this Alteration, That the Justices and Freeholders for trying Slaves shall do it gratis at their own Expence, but may allow their Clerks and Constables Fees. And any Two Justices, One of the Quorum, may hold a Court.

Oranges.

the BERMUDA ACTS.

Oranges. Fol. 48.

1698.

AN Act to prevent the stealing of Oranges and other Fruits.

Fol. 48.

Preamble complains of the great Practice of Slaves stealing Oranges and other Fruits (the greatest Ornament of the Island) encouraged by other Persons receiving and buying the same, and therefore enacts, That any White Person stealing Fruit, and their Accessories, shall forfeit Ten Shillings, to be levied by a Justice; and for want of Distress, to be whipt by the Constable.

Slaves offending, shall be whipt through the Tribe or Parish by the Constable, who shall be paid Two Shillings and Eight Pence for his Pains by the Owner of the Slave; and the Constable neglecting his Duty, shall forfeit Ten Shillings.

Slaves out after Eight o'Clock, and not shewing good Cause, shall be whipt.

Persons keeping Publick Houses, and receiving or buying Oranges without acquainting a Justice, as also the Vender, or Seller, shall forfeit Forty Shillings; and the Seller, if a Slave, shall be whipt at the Justice's Discretion.

For Neglect of Duty Justice forfeits Five Pounds.

This Act to be read publickly once a Month in each Tribe.

1713-14.

An Additional Act. Fol. 79.

Extends the Punishments and Forfeitures mentioned in the foregoing Act to the stealing any Provisions or Sugar Canes.

Parish Charges. Fol. 8.

AN Act to prevent Parish Charges, by poor Persons removing from One Tribe to another. 1690, and 1691.

Poor Persons removing out of One Tribe into another, shall not be deemed legally settled until they have continued without Disturbance of the Officers the Space of 42 Days.

If any Person of Ability bring a poor Person into any Tribe or Parish, such able Person shall allow such poor Person sufficient Land for their Maintenance, or give Security to indemnify the Tribe or Parish, or the Officers by a Justice's Warrant may remove such poor Persons to the Place of their last Abode.

An Act for young Men to pay Parish Duties. 1690, and 1691. Fol. 13.

All Young Men of 21 Years of Age, who live under their Parents, or others, shall pay Parish Duties, as Housholders do, to be levied by a Justice; and for want of Distress, the Justice may commit the Offender till he pay it, with Costs.

Palmetto. Fol. 16.

An Act to prevent the Destruction and transporting of *Palmetto-Tops* and Brooms. 1690, and 1691.

Every Master of a Ship taking on Board any *Palmetto-Tops*, or Ropes, or Brooms made of the Leaves thereof, more than necessary for the Vessel that Voyage, shall forfeit Five Pounds; One Fifth Part to the Informer, and the rest to the Crown, to be levied by a Justice's Warrant.

An Act for Addition and Amendment to the foregoing Act. Fol. 46. 1698.

F

No

An ABRIDGMENT of

No Cables or Haufers to be made of *Palmetto-tops* or Leaves of the Growth of these Islands for Exportation, or for the Use of any Vessel of the Islands, or others, nor any *Palmetto-tops* or Leaves exported, unless for the Vessel's apparent Use, nor any Ropes made above 4 Inches round, on Penalty of Five Pounds for each Offence, Half to the Publick, and Half to the Informer, to be levied by a Justice's Warrant; and for want of Distress, the Offender to be committed to Prison until paid.

No Platt made of *Palmetto-tops* or Leaves of these Islands shall be exported, unless made into Baskets, Hats, Bongraces, or other Manufactures, on Penalty of Ten Pounds, to be levied and applied as aforesaid.

Platt found in suspected Persons Custody, to prove how they came by it, or be deemed Felons.

Negroes defrauding their Masters of such Tops, for the first Offence to be whipt; the Second, whipt and set in the Pillory, and his Ears nailed thereto: And White Persons dealing with Slaves in such Cases, are to be punished as in the *Act to prevent Buying, &c. with Negroes, &c.*

This Act not to extend to Goods made before the Act.

Sailors, Merchants, &c. suspected of having prohibited Cables, Ropes, Tops, or Platt on Board Vessels, shall be obliged to give Account thereof, on Oath, to the Collector of the Customs.

An Act to prevent the Destruction of *Palmetto-trees*, and to prevent Fraud in the Measure of Platt.

Fol. 85.

Every Person having in their Possession *Palmetto-tops* not cut clear the Strings and fairly grown out, or any stript Green Strings, shall forfeit the same to the Tribe or Parish, and pay Twenty Shillings, Half to the Informer, and Half to the Tribe or Parish, to be levied by a Justice; and for want of Distress, the Offender to be committed to Prison till paid.

If the Offender be a Slave, he shall be whipt through the Tribe.

Suspicious Persons having *Palmetto-tops*, and refusing to give Account to the Justice how they came by them, shall be proceeded against

according to the Directions of the Act to prevent the Destruction and Transportation of *Palmetto-tops*.

N. B. *The above 3 Clauses are altered by the following Act.* Fol. 107.

Persons offering Platt to sale, that shall want above One Yard in Forty of the Measure, shall forfeit the same to the Person discovering it, and pay Twenty Shillings to the Tribe or Parish, to be levied by a Justice; and for want of Distress, the Offender to be committed till paid.

An Additional Clause to the foregoing Act was passed. Fol. 107.

Preamble sets forth the Inconvenience arisen from restraining Owners of Palmetto-trees from cutting and manufacturing them as they please, and enacts, that Owners of Palmetto-trees shall have Liberty to cut out the Tops at their Pleasure, and dispose of them as they think fit.

If any Tops not fairly cut out, or stript Green Strings, be found, the Possessors shall declare on Oath where they were cut, or how they came by them; which Oath, if taken, shall discharge them from the Penalties in the foregoing Act.

And if such Tops were bought, the Sellers shall also declare on Oath how they came by them.

Persons refusing to take such Oath, shall, over and above the Penalties mentioned in the foregoing Act, forfeit Twenty Shillings, to be applied and recovered as in the said Act is directed.

Pilot. Fol. 37.

An Additional Act for Encouragement of the Pilot. 1694

This is called an Additional Act, but no former Act appears, except the Act for settling Fees be meant, vide Fol. 33. and this Additional Act has Reference only to Strangers coming in or going out there, and takes no Notice of what the Inhabitants are to pay.

By this Act the Pilot is to receive of all Strangers for every Vessel in or out, if drawing 8 Foot Water or under, Ten Shillings.

Eleven Foot, One Pound.

And for every Foot exceeding 11 Foot, Five Shillings.

Plan-

the BERMUDA ACTS.

Plantation Bonds. Fol. 68.

1734.

An Act concerning Plantation Bonds.

The Preamble of this Act declares,
That the Master of every Vessel is obliged, before he depart, to enter into 1000 l. Bond, not to transport any Person from these Islands without a Warrant or Ticket from the Governor: *But it does not appear by what Law that Bond is taken; however it is here enacted,*
That Masters carrying Persons off without a Ticket, and returning them back in 12 Months, shall be freed from the Penalty of the Bond, only paying what Damages have accrued thereby.

And even if such transported Person is not returned in that Time, yet if the Master pay all Damages, his Bond shall be discharged.

This Act was not to extend to Soldiers in his Majesty's Pay.

Powder Money. Fol. 13.

1690, and 1691. An Act for Vessels paying Powder Money.

All Ships or Vessels belonging to the Island under 40 Ton, shall pay Two Shillings every Voyage, and above 40 Ton, Four Shillings.

All Strangers coming to trade in the Island, shall pay *per* Ton Twelve Pence, or a Pound of Gunpowder; which Money and Powder shall be for Support of the Government.

The Secretary shall receive the Money and Powder, and have Two and an Half *per Cent.* for his Trouble, and be accountable to the Governor and Council.

7103.

An Additional Clause to the foregoing Act. Fol. 65.

Four Pence *per* Ton more is laid on all Vessels entering at those Islands and not belonging to the Inhabitants thereof.

The Tonnage to be ascertained by a Method herein prescribed.

The Receiver to administer an Oath to the Masters of Vessels, and to account upon Oath himself to the Governor and Council when there-to required.

1723.

A Second Additional Clause. Fol. 88.
Eight Pence *per* Ton more is added,

making in all Two Shillings *per* Ton, to be paid for all Vessels entering at those Islands, and not belonging to the Inhabitants thereof.

And the Receiver is empowered to measure all Ships for Tonnage, if he see Occasion.

Revenue. Fol. 50.

AN Act for raising a Publick Revenue. 1698.

Liquors imported by Strangers not Inhabitants of those Islands, shall pay for a Hoghead of Rum or Spirits, not above 80 Gallons, 1 l. 10 s.

All other Cask in Proportion.

If imported by the Inhabitants, then a Hoghead, 15 s.

And so in Proportion for other Cask.

Every Pipe of Wine imported by Strangers, 3 l.

And so for smaller Casks and Bottles in Proportion.

Every Hoghead of Beer, Ale, Cyder, Mum, 6 s.

And so in Proportion for other Cask or Bottles.

Master

An ABRIDGMENT of

Master of every Vessel shall make Oath whom the Liquors he imports belong to, and that they are contained in no other Cask than what he has entred and reported.

Inhabitants shall pay but half the Duty paid by Strangers. Payment to be in Current Money.

Inhabitants exporting Liquors in Six Months, to draw back for a Hog-shead of *Rum*, 13s.

A Tierce, 9s. 6d.

A Barrel, 6s. 6d.

A Pipe of Wine, 1 l. 6s.

And other Cask and Bottles in Proportion.

Proof to be made that they belong to Inhabitants, and have paid the Duties, and that the said Liquors be not relanded.

All Masters of Vessels to make due Entries before they break Bulk, of all such Liquors by them imported, on Penalty of Fifty Pounds; and may keep such Liquors on board, till the Duty is paid or secured by the Owners, with Charges and Damages.

Masters to make Oath of the Property of Liquors he imports, and these Duties to be applied to the Use of the Publick.

And the Collector shall pay the same, as the Governor, Council, and Committee of Assembly shall direct.

Capt. *Tucker* appointed first Collector, who was to give 1000l. Security, and to have 12 d. per Pound for his Salary; and in Case of a Vacancy, another to be appointed by the Governor and Council, who shall account to the Governor, Five Councillors, and Ten Assembly Men, or any Five of them, or to such Persons as they shall appoint.

Money may be borrowed by Virtue of this Act, and the Duties shall be applied to discharge the same, and to no other Use, till such Debt is paid off.

Ten Persons were named in the Act for a present Committee of the Assembly, and Times of Meeting appointed to be Three Times a Year; the Day and Place to be directed by the Governor, to the Intent such Accounts may be regulated.

Liquors may be seized for Non-Payment of the Duties, and in 48

Hours sold at Outcry, to pay the same and all Contingent Charges.

Rum. Fol. 62.

An Act to prohibit retailing *Rum* or 1701. Liquors publickly without Licence.

Every Person selling *Rum*, or other strong Liquors, without a Licence of the Justice (except Wine and Brandy, to be licensed by the Governor) shall for each Offence forfeit 1l. Half to the Poor, and Half to the Informer, to be levied by the Justice.

The Justice's Fee for a Licence, 2s. Recognizance, 2s.

And such Licences shall continue but One Year.

the BERMUDA ACTS.

Swearing and Cursing. Fol. 3.

1690, and 1691.

AN Act against Swearing and Cursing.

Persons guilty of prophane Swearing or Cursing, to forfeit 12 d. to the Poor, to be levied by a Justice; and for want of Distress, if the Offender be above 12 Years old, and not able to pay, then to sit 3 Hours in the Stocks; if under 12 Years old, to be whipt.

1732.

Additional Clause. Fol. 104.

Offenders shall forfeit 12 d. for every Oath, Curse, or prophane Speech, or suffer as above.

And the Tenant shall be allowed to the Tenth of *March* after his Departure to take off his Provisions planted before his Departure.

Tobacco.

An Act against Deceit in making up Tobacco. Fol. 11. 1690, and 1691.

If any Person offer to sale any Tobacco of his own making up, deceitfully made up, on Conviction, he shall forfeit the Tobacco, and One Penny *per* Pound to the Crown towards the Publick Charge. If the Buyer of such Tobacco can prove who he bought it of, the Seller shall return the Money, and forfeit as aforesaid; if he cannot discover the Seller, the Tobacco shall be destroyed.

Forfeitures to be levied by a Justice's Warrant, and if no Distress can be found, the Offender shall be punished at the Discretion of the Governor and Council, who shall also dispose of the Tobacco as they see meet.

An Act for settling a Current Value on Tobacco of the Growth of these Islands. Fol. 47. 1698.

All Merchantable Tobacco of the Growth of these Islands shall pass, to pay all Debts contracted after Publication hereof at 3d. *per* Pound. All other Contracts made to the contrary excepted.

Tenants. Fol. 9.

1690, and 1691.

AN Act directing what Warning is to be given to a Tenant at Will.

Landlords shall allow a Year's Warning to a Tenant from the Tenth of *November* yearly.

G

Under.

An ABRIDGMENT of

Sailors shall not be obliged to take New Tickets so long as they stay in the same Ship.

If the Secretary gives a Ticket without such Publication or Security, he shall pay all Damages that any Person shall suffer by such other Person's going off.

Underwriting.

1694.

AN Act for settling a Method in Underwriting Persons bound out to Sea. Fol. 37.

Preamble complains of great Prejudice to Persons bound out to Sea, having been Underwrit, without shewing a just Cause of Action, and therefore enacts, That whoever shall underwrite any Person in the Secretary's Office bound to Sea, for above Ten Pounds, shall enter the Cause and give Security to prosecute and pay Damages, if cast. And if the Underwriter do not prosecute his Underwriting at the next Assizes, the same shall be void, and he shall pay Damages, to be recovered by Action of Debt.

And Underwriting to be of Force no longer than till the Return of the Person underwrit, and then his Security to be void.

1717.

AN Act for limiting the Time the Names of Persons bound out to Sea shall be published.

Fol. 83.

No Person going off the Island shall be allowed a Ticket until his Name has been set up in the Secretary's Office, and published Five Days in a Church, or give Security in the Secretary's Office, for which the Secretary shall have no more than Two Shillings.

Weights and Measures.

AN Act for the due Regulation of Weights and Measures. Fol. 25.

Preamble complains, That false Weights and Measures have been used, to the wronging of great Numbers of People, especially of the Poor; and therefore enacts, That a Bushel shall

the BERMUDA ACTS.

shall contain Nine Gallons and a Half, Wine Measure; and other dry Measure in Proportion.

And the Provost-Marshal shall keep a Standard accordingly, and try and seal all other Measures thereby, before any Person presume to sell by the same, on Penalty of Five Pounds for using any other dry Measure, Two Thirds to the Publick, and One Third to the Informer, to be levied by a Justice.

The Provost-Marshal's Fees for sealing every Bushel, One Shilling and Four Pence.

And for all other Measures proportionably.

The Marshal to give Notice of the Time and Place where Persons are to bring their Measures to be sealed.

All Weights and Liquid Measures to be according, the same as Wine Measure in *England*; and the Marshal shall go Once a Year through the Island, and examine Weights and Liquid Measures, and destroy those that are faulty; and the Offenders shall forfeit Ten Shillings, to be levied and employed as aforesaid.



F I N I S.



